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3 1223 09951 5612

FILE NO. 27-90-9 ORDINANCE NO. 1-91

(AIRPORT - LEASE MODIFICATIONS)

APPROVING MODIFICATION NO. 2 OF LEASE AGREEMENT BETWEEN PAN AMERICAN WORLD AIRWAYS, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 2 of the Lease and Use Agreement between Pan American World Airways, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, a copy of the Modification which is contained in Board of Supervisors' file number 27-90-9.

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By Dona Sauerbrunn

Deputy City Attorney

2853p

DOCUMENTS DEPT.

JAN 22 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 7, 1991 | January 14, 1991 |
| Ayes: Supervisors Alioto Hongisto Gonzalez Hallinan Hsieh Kennedy Maher Walker Ward | Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward |
| Absent: Supervisors Britt Nelder | Absent: Supervisors Alioto Kennedy |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor

Clerk

File No. 27-90-9

JAN 14 1991

Date Approved

Doris M. Ward

Acting Mayor

DOCUMENTS DEPT.
JAN 25 1995
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FILE NO. 97-90-62 ORDINANCE NO. 2-91

[Filing Fee - Domestic Partnership]

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING THERETO CHAPTER 62, TO ESTABLISH A FILING FEE OF THIRTY-FIVE DOLLARS FOR THE FILING OF DECLARATIONS OF DOMESTIC PARTNERSHIP AND AMENDMENTS TO DECLARATIONS OF DOMESTIC PARTNERSHIP.

Note: All material is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 62, to read as follows:

CHAPTER 62

DOMESTIC PARTNERSHIPS

SEC. 62.1 [Reserved]

SEC. 62.2 [Reserved]

SEC. 62.3 [Reserved]

SEC. 62.4 [Reserved]

SEC. 62.5 [Reserved]

SEC. 62.6 [Reserved]

SEC. 62.7 [Reserved]

SEC. 62.8 FILING FEES. For each filing of a Declaration of Domestic Partnership and each Amendment to a Declaration of Domestic Partnership the County Clerk shall charge a fee of thirty-five dollars ($35.00).

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

DOCUMENTS DEPT.

JAN 22 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 7, 1991 | January 14, 1991 |
| Ayes: Supervisors Alioto Hongisto Gonzalez Hallinan Hsieh Kennedy Maher Walker Ward | Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward |
| Absent: Supervisors Britt Nelder | Absent: Supervisors Alioto Kennedy |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 97-90-62

JAN 14 1991
Date Approved

Doris M. Ward
Acting Mayor

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JAN 25 1991
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FILE NO. 27-90-10 ORDINANCE NO. 3-91

(AIRPORT-LEASE MODIFICATIONS)

APPROVING MODIFICATION NO. 9 OF LEASE AGREEMENT BETWEEN UNITED AIR LINES, INC. AND CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH ITS AIRPORTS COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves Modification No. 9 of the Lease and Use Agreement between United Air Lines, Inc. and the City and County of San Francisco, acting by and through its Airports Commission, a copy of the Modification which is contained in Board of Supervisors' file number 27-90-10.

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By Diana Gaubolder

Deputy City Attorney

2854p

DOCUMENTS DEPT.

JAN 22 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 7, 1991 | January 14, 1991 |
| Ayes: Supervisors Alioto Hongisto Gonzalez Hallinan Hsieh Kennedy Maher Walker Ward | Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward |
| Absent: Britt Nelder | Absent: Supervisors Alioto Kennedy |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor

Clerk

File No. 27-90-10

JAN 14 1991

Date Approved

Doris M. Ward

ACTING Mayor

FILE NO. 101-90-30

ORDINANCE NO. 4-91

RO #90105 SA# VARIOUS

(GOVERNMENT FUNDING)

APPROPRIATING $671,399 FOR TRAVEL, TRAINING, MEMBERSHIP DUES AND ENTERTAINMENT AND PROMOTION, RESCINDING $19,597 FROM PERMANENT SALARIES - UNIFORM AND $18,617 FROM MANDATORY FRINGE BENEFITS, FIRE DEPARTMENT, $3,445 FROM MATERIALS AND SUPPLIES, $20,130 FROM EQUIPMENT PURCHASE AND $13,800 FROM DATA PROCESSING/WORD PROCESSING EQUIPMENT, PUBLIC LIBRARY AND $121,460 FROM INTERDEPARTMENTAL RECOVERY, PURCHASING, AND CONTROLLER-ISD, VARIOUS DEPARTMENTS FOR FISCAL YEAR 1990-91; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| 12/14/90 Subsidiary 000006 | General Reserve | $225,181 | |
| GL 904 (000026) | Unappropriated Revenue Retained | | |
| 12/14/90 Subsidiary 000059 | Juvenile Justice Program Reserve | 55,427 ~~56,429~~ | |
| 02-00-00 | Assessor | | |
| 10-1120 (301531) | Travel | | $ 10,740 |
| 05-00-00 | Public Defender | | |
| 10-1130 (304113) | Training | | $ 1,432 |
| 09-00-00 | Controller | | |
| 09-01-00 | Management | | |
| 10-1120 (314005) | Travel | | $ 833 |
| 10-1130 | Training | | 766 |
| 10-1440 | Membership Dues | | 3,422 |
| | Total - Management | | $ 5,021 |
| 09-04-00 | Audits | | |
| 10-1120 (309369) | Travel | | $ 976 |
| 10-1130 | Training | | $ 3,779 |
| 10-1140 | Membership Dues | | 406 |
| | Total - Audits | | $ 5,161 |
| 09-05-00 | Payroll Personnel Services Division | | |
| 10-1120 (309252) | Travel | | $ 2,148 |
| 10-1130 | Training | | 1,790 |
| 10-1440 | Membership Dues | | 365 |
| | Total - Payroll & Personnel Services Division | | $ 4,303 |
| | Total - Controller | | $ 14,485 |
| 12-00-00 | Juvenile Probation Department | | |
| 12-01-00 | Administration | | |
| 10-1120 (319574) | Travel | | $ 161 |
| 10-1440 (319574) | Membership Dues | | 286 ~~54,980~~ |
| | Total - Administration | | 447 ~~$ 55,141~~ |
| 12-02-00 | Juvenile Hall | | |
| 10-1130 (319558) | Training | | 54,980 $ ~~386~~ |
| | Total - Juvenile Probation | | $ 55,427 |
| 25-01-00 | Mayor | | |
| 10-1440 (325043) | Membership Dues | | $ 36,636 |
| 31-00-00 | Fire Department | | |
| 31-03-00 | Suppression | | |
| 01-0020 (530071) | Permanent Salaries - Uniform | $ 19,597 | |
| 04-0600 | Mandatory Fringe Benefits | 18,617 | |
| 10-1120 | Travel | | $ 3,938 |
| 31-03-00 | Consent Decree | | |
| Project 117-01 | Consent Decree | | |
| 10-1120 (333203) | Travel | | $ 5,081 |
| 10-1130 (333203) | Training | | 17,586 |
| | Total - Consent Decree | | $ 22,667 |

BOARD OF SUPERVISORS

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| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 31-03-00 | Prevention | | |
| 10-1130 (530014) | Training | | $ 1,504 |
| 31-03-00 | Investigation | | |
| 10-1130 (530006) | Training | | $ 716 |
| 31-03-00 | Support Services | | |
| 10-1130 (530022) | Training | | $ 716 |
| 31-03-00 | Administration | | |
| 10-1130 (530030) | Training | | $ 1,800 |
| 31-03-00 | Bureau of Training | | |
| 10-1120 (530139) | Travel | | $ 2,649 |
| 10-1130 (530139) | Training | | 1,360 |
| | Total - Bureau of Training | | $ 4,009 |
| 31-09-00 | Emergency Services | | |
| 10-1120 (325472) | Travel | | $ 716 |
| 10-1130 (325472) | Training | | 2,148 |
| | Total - Emergency Services | | $ 2,864 |
| | Total - Fire Department | $ 38,214 | $ 38,214 |
| 38-00-00 | Police Department | | |
| 38-06-41 | Senior Escort Service | | |
| 10-1120 (580142) | Travel | | $ 21,052 |
| 10-1130 (580142) | Training | | 358 |
| | Total - Police Department | | $ 21,410 |
| 41-00-00 | Public Library | | |
| 11-1300 (615005) | Materials and Supplies | $ 3,445 | |
| 22-2200 (615005) | Equipment Purchase | 20,130 | |



| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 22-2310 (615013) | Data Processing/Word Processing Equipment | $ 13,800 | |
| 10-1440 (615005) | Membership Dues | | $ 37,375 |
| | Total - Public Library | $ 37,375 | $ 37,375 |
| 44-00-00 | Retirement System | | |
| 44-02-00 | Workers Compensation | | |
| 10-1130 (380543) | Training | | $ 7,160 |
| 10-1440 | Membership Dues | | 609 |
| | Total - Retirement System | | $ 7,769 |
| G.L. 904 (000026) | Unappropriated Revenue Retained | | |
| Subsidiary 000066 | Children and Foster Care Reserve | $193,742 | |
| 45-00-00 | Social Services | | |
| 45-00-00 | Family and Children Services | | |
| 10-1120 (640037) | Travel | | $ 57,280 |
| 45-00-00 | Staff Development Program | | |
| 10-1130 (647149) | Training | | $130,097 |
| 45-00-00 | Support Services | | |
| 10-1440 (647727) | Membership Dues | | $ 6,365 |
| | Total - Social Services | $193,742 | $193,742 |
| 62-00-00 | Asian Arts Museum | | |
| 10-1290 (402040) | Entertainment and Promotion | | $ 41,600 |
| 70-01-00 | Chief Administrative Officer | | |
| 10-1440 (420018) | Membership Dues | | $ 66,615 |
| 72-01-00 | Agriculture/Weights and Measures | | |
| 10-1120 (422014) | Travel | | $ 1,343 |
| 10-1440 | Membership Dues | | 419 |
| | Total - Agriculture/Weights and Measures | | $ 1,762 |

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 74-00-00 | Medical Examiner | | |
| 10-1130 (424531) | Training | | $ 2,080 |
| 75-00-00 | Department of Electricity and Telecommunications | | |
| 75-00-00 | Telecommunications | | |
| 10-1120 (425124) | Travel | | $ 1,000 |
| 10-1130 | Training | | 1,663 |
| | Total - Telecommunications | | $ 2,663 |
| 75-00-00 | Radio Electronic Communication Services | | |
| 10-1120 (425512) | Travel | | $ 302 |
| 10-1130 | Training | | 1,574 |
| 10-1440 | Membership Dues | | 161 |
| | Total - Radio Electronic Communication Services | | $ 2,037 |
| | Total - Department of Electricity and Telecommunications | | $ 4,700 |
| 76-00-00 | Animal Care and Control | | |
| 10-1120 (421016) | Travel | | $ 416 |
| 10-1130 | Training | | 2,580 |
| 10-1440 | Membership Dues | | 216 |
| | Total - Animal Care and Control | | $ 3,212 |
| 79-00-00 | Public Administrator/Guardian | | |
| 10-1120 (429506) | Travel | | $ 859 |
| 10-1130 | Training | | 895 |
| 10-1440 | Membership Dues | | 100 |
| | Total - Public Administrator/ Guardian | | $ 1,854 |



| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 80-00-00 | Registrar of Voters | | |
| 10-1120 (430017) | Travel | | $ 143 |
| 10-1130 | Training | | 1,500 |
| 10-1440 | Membership Dues | | 394 |
| | Total - Registrar of Voters | | $ 2,037 |
| 91-00-00 | Purchasing | | |
| 91-01-01 | Management | | |
| 10-1440 (540435) | Membership Dues | | $ 2,006 |
| 91-03-00 | Procurement Service | | |
| 10-1130 (540443) | Training | | $ 3,222 |
| 10-1440 | Membership Dues | | 251 |
| | Total - Procurement Service | | $ 3,473 |
| 91-04-00 | | | |
| 10-1130 (540450) | Storekeeping | | $ 3,370 |
| | Total - Purchasing | | $ 8,849 |
| | Grand Total - General Fund | $549,939 | $549,939 |
| 08-150 | Intragovernmental Service Fund | | |
| 09-00-00 | Controller - ISD | | |
| 09-02-01 | Administration | | |
| 39-3900 (943100) | Interdepartmental Recovery | $ 78,760 | |
| 10-1130 (315002) | Training | | $ 78,760 |
| 09-02-02 | Systems and Programming | | |
| 39-3900 (943308) | Interdepartmental Recovery | $ 24,082 | |
| 10-1130 (315101) | Training | | $ 24,082 |
| 09-02-03 | Production | | |



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| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 39-3900 (943209) | Interdepartmental Recovery | $ 13,816 | |
| 10-1130 (315051) | Training | | $ 13,816 |
| | Total - Controller ISD | $116,658 | $116,658 |
| 08-251 | Intragovernmental Service Fund | | |
| 91-02-00 | Purchasing - Central Shops | | |
| 39-3900 (942938) | Interdepartmental Recovery | $ 4,802 | |
| 10-1120 (542001) | Travel | | $ 1,432 |
| 10-1130 (542001) | Training | | 3,370 |
| | Total - Purchasing-Central Shops | $ 4,802 | $ 4,802 |
| | Grand Total - Intragovernmental Service Fund | $121,460 | $121,460 |

Section 2. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by budget estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

ac(1131ADM)





Board of Supervisors, San Francisco

Passed for Second Reading

December 17, 1990

Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Walker Ward

Absent: Supervisors Maher Nelder

Finally Passed

January 7, 1991

Ayes: Supervisors Alioto Gonzalez Hallinan Hongisto Hsieh Kennedy Maher Nelder Walker Ward

Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-30

JAN 15 '91
Date Approved

Mayor

FILE NO. 45-90-54

ORDINANCE NO. 5-91

RO #90098

AUTHORIZATION SETTLEMENT OF LITIGATION OF LEROY FRANCIS GARRITY AGAINST CAROLYN M. LUKSICH, CITY AND COUNTY OF SAN FRANCISCO, et al. FOR $50,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled ""LEROY FRANCIS GARRITY vs. CAROLYN M. LUKSICH, CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 879-991, by the payment of $50,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD J. EVANS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

SAM YOCKEY
Controller

01 001 97 09 90
309674 1450 $50,000.00

OCT 23 1990

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-90-54

JAN 15 '91

Date Approved

Mayor

FILE NO. 45-90-55

ORDINANCE NO. 6-91

RO #90099

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF LAURA HELM AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $35,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Laura Helm v. Howard Lynch, et al.," Superior Court No. 915-171, by the payment of $35,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD EVANS
Director

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $35,000.00

OCT 23 1990

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-90-55

JAN 15 '91
Date Approved

Mayor

FILE NO. 45-90-56

ORDINANCE NO. 7-91

RO #90053

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF ROLANDO HERNANDEZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $8,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settled the action entitled "ROLAND HERNANDEZ vs. CITY AND COUNTY OF SAN FRANCISCO, et al.", Municipal Court No. 036-708, by the payment of $8,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD J. EVANS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

FUNDS AVAILABLE:

SAM YOCKEY
Controller

01 001 97 09 90
309674 1450 $8,000.00

OCT 31 1990

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JAN 28 199

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-56

JAN 15 '91

Date Approved

Mayor

FILE NO. 45-90-57

ORDINANCE NO. 8-91

RO #90104

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF KEVIN CARROLL AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $8,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "KEVIN CARROLL v. CITY AND COUNTY OF SAN FRANCISCO, et al.,"SUPERIOR Court No. 852-343, by the payment of $8,500.00.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

Kimberly A. Reiley

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

for John B. Coury

RICHARD EVANS, Director
Department of Public Works

FUNDS AVAILABLE:

Samuel D. Yockey by

SAMUEL YOCKEY
Controller

01 001 97 09 90
309674 1450 $8,500.00

OCT 31 1990

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

4707N

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Board of Supervisors, San Francisco

| | |
|---|---|
| Passed for Second Reading | Finally Passed |
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-90-57

JAN 15 '91
Date Approved

Mayor

FILE NO. 45-90-58 ORDINANCE NO. 9-91

RO #90107

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF WALTER A. YOUNG AGAINST THE CITY AND COUNTY OF SAN FRANCISCO for $121,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Walter A. Young v. City and County of San Francisco, et al.," Superior Court No. 818-111, by the payment of $121,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

FRANK JORDAN
Chief of Police

FUNDS AVAILABLE:

Controller

01 001 97 09 38
309781 1450 $121,500.00

NOV 19 1990

APPROVED:

SAN FRANCISCO POLICE COMMISSION

Secretary

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-90-58

JAN 15 '91
Date Approved

Mayor

FILE NO. 46-90-18 ORDINANCE NO. 10-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF WILLIAM COCHRAN V. JOANNE GOETTSCHE, ET AL., UPON RECEIPT OF THE SUM OF $50,000.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 916966 entitled "William Cochran, Plaintiff, v. Joanne Goettsche, et al., Defendants" by acceptance of the sum of $50,000.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $50,000.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
46-90-18

JAN 15 '91
Date Approved

Mayor

FILE NO. 46-90-19 ORDINANCE NO. 11-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF DANIEL C. KNIGHT V. HOMER J. OLSEN, INC., ET AL., UPON RECEIPT OF THE SUM OF $6,342.14 AND RELEASE OF LIEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 870238 entitled "Daniel C. Knight, Plaintiff, v. Homer J. Olsen, Inc., et al., Defendants" by acceptance of the sum of $6,342.14 from the defendants and releasing lien.

Section 2. Upon receipt of said sum of $6,342.14 and appropriate paperwork the City Attorney is authorized to release said lien.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

DOCUMENTS DEPT.

JAN 2 8 '91

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
46-90-19

JAN 15 '91
Date Approved

Mayor

FILE NO. 46-90-20 ORDINANCE NO. 12-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF CITY AND COUNTY OF SAN FRANCISCO V. IBRAHIM ATIEH, ET AL., UPON RECEIPT OF THE SUM OF $7,500.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Municipal Court No. 047618 entitled "City and County of San Francisco, Plaintiff, v. Ibrahim Atieh, et al., Defendants" by acceptance of the sum of $7,500.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $7,500.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint

APPROVED AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

DOCUMENTS DEPT.

JAN 2 9 19

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Nelder Walker | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Alioto Maher Ward | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 46-90-20

JAN 15 '91
Date Approved

Mayor

FILE NO. 97-90-48 ORDINANCE NO. 13-91

[Health Coverage for Former Supervisors]

AMENDING CHAPTER 16 OF THE SAN FRANCISCO ADMINISTRATIVE CODE, BY ADDING THERETO SECTION 16.906 TO PERMIT HEALTH COVERAGE FOR FORMER SUPERVISORS, PROVIDED THAT THEY PAY THE FULL COST OF SUCH COVERAGE.

NOTE: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 16 of the San Francisco Administrative Code is hereby amended by adding Section 16.906 thereto, to read as follows:

SEC. 16.906. HEALTH SYSTEM MEMBERSHIP OF FORMER SUPERVISORS.

After leaving office as a member of the Board of Supervisors, a former Supervisor may still participate in any plan of the Health Service System, provided that the former Supervisor agrees to, and for so long as he or she does, pay the full cost of such benefit, as determined by the health service board.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Claude Kolm
Deputy City Attorney

DOCUMENTS DEPT.

JAN 2 8 10

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Maher Walker Ward | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Hsieh Kennedy Nelder | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-90-48

JAN 15 '91
Date Approved

Mayor

FILE NO. 97-90-60 ORDINANCE NO. 14-91

[Ratifying Civil Service Rule 22 Amendment]

AMENDING SECTION 16.17 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY PROVIDING FOR THE RATIFICATION OF AN AMENDMENT TO CIVIL SERVICE RULE 22, LEAVES OF ABSENCE, EXPANDING THE PERSONS FOR WHOM BEREAVEMENT LEAVE MAY BE TAKEN; AND REDEFINING THE TERM "CHILD".

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Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 16.17 thereof to read as follows:

SEC. 16.17. RULE 22 OF THE CIVIL SERVICE COMMISSION APPROVED.

(a) Rule 22 of the Civil Service Commission of the City and County of San Francisco, providing for sick leave with pay and disability leave, as adopted by the Civil Service Commission at its meeting on April 21, 1980, a copy of which is on file with the Clerk of the Board of Supervisors in File 385-80, and which is expressly made a part of this ordinance, and by reference incorporated herein, is hereby approved pursuant to the provisions of Section 8.363 of the Charter.

(b) The amendment to Rule 22 of the Civil Service Commission of the City and County of San Francisco, providing for use of sick leave with pay credits to supplement State Disability Insurance (SDI), as adopted by the Civil Service Commission at its meeting on November 16, 1981, a copy of which is on file with the Clerk of the Board of Supervisors in File 516-81 1, and which is expressly made a part of this ordinance, and by reference incorporated herein, is hereby approved pursuant to the provisions of Section 8.363 of the Charter to be effective as of February 1, 1982.

(c) The amendment to Rule 22 of the Civil Service Commission of the City and County of San Francisco, providing that when provided in an approved Memorandum of Understanding, and during its express term, certain employees in Class 2320 Registered Nurse who participate in San Francisco General Hospital's Pilot Project would be allowed to earn and use sick leave pay at a rate of one and one-half times the normal rate, is hereby approved pursuant to the provisions of Section 8.363 of the Charter. This amendment to Rule 22 of the Civil Service Commission was adopted by the Civil Service Commission at its meeting of August 21, 1989, a copy of which is on file with the Clerk of the Board of Supervisors in File 97-89-39, and which is expressly made a part of this ordinance, and by reference incorporated herein.

(d) The amendment to Rule 22 of the Civil Service Commission of the City and County of San Francisco, providing for expansion of the persons for whose death an employee may take bereavement leave and for the expansion of the definition of "child" for the purposes of utilizing sick leave for the illness or medical appointments of a child, is hereby approved pursuant to the provisions of Section 8.363 of the Charter. This amendment to Rule 22 of the Civil Service Commission was adopted by the Civil Service Commission at its meeting of October 15, 1990, a copy of which is on file with the Clerk of the Board of

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/ / /

Supervisors in File 97-90-60 , and which is expressly made a part of this ordinance, and by reference incorporated herein.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney



Proposed amendments to Civil Service Commission Rule 22 - Leaves of Absence

NOTE: ADDITIONS ARE UNDERLINED AND IN CAPITAL LETTERS; DELETIONS ARE IN ((DOUBLE PARENTHESES))

Proposed amendment to Civil Service Commission Rule 22, Section 22.02(A)(3)(c):

c. Sick Leave - Bereavement

i) Absence because of the death OF THE EMPLOYEE'S SPOUSE OR DOMESTIC PARTNER, ((of an employee's)) parents, step parents, grandparents, parents-in-law OR PARENTS OF A DOMESTIC PARTNER, ((spouse,)) sibling, child, step child, adopted child, A CHILD FOR WHOM THE EMPLOYEE HAS PARENTING RESPONSIBILITIES, AUNT OR UNCLE , legal guardian or any person who is permanently residing in the household of the employee.

Such leave shall not exceed three (3) working days and shall be taken within thirty (30) calendar days after the date of death; however, two (2) additional working days shall be granted in conjunction with the bereavement leave if travel outside the State of California is required as a result of the death.

ii) Absence because of the death of ((other relatives)) ANY OTHER PERSON THE EMPLOYEE MAY BE REASONABLY DEEMED TO OWE RESPECT. Leave shall be for not more than one (1) working day; however, two (2) additional working days shall be granted if travel outside the State of California is required as a result of the ((relative's)) PERSON'S death.

Proposed amendments to Civil Service Commission Rule 22 - Leaves of Absence

NOTE: ADDITIONS ARE UNDERLINED AND IN CAPITAL LETTERS; DELETIONS ARE IN ((DOUBLE PARENTHESES))

Proposed amendment to Civil Service Commission Rule 22, Section 22.02(A)(3)(e):

e. Sick Leave - ((Dependent Child)) ILLNESS OR MEDICAL APPOINTMENT OF CHILD

Absence because of the illness, injury or medical or dental appointment of a ((dependent child. Such leave shall not exceed a total of five (5) working days in any calendar year)) BIOLOGICAL OR ADOPTIVE CHILD, OR A CHILD FOR WHOM THE EMPLOYEE HAS PARENTING OR CHILD REARING RESPONSIBILITIES.



Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| December 17, 1990 | § | January 7, 1991 |
| Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Maher Walker Ward | § | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Hsieh Kennedy Nelder | § | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 97-90-60

JAN 15 '91
Date Approved

Mayor

AS AMENDED IN COMMITTEE 12/14/90

FILE NO. 101-90-33

ORDINANCE NO. 15-91

RO #90116 SA #74

(Government Funding)

APPROPRIATING $24,766 FOR PROFESSIONAL AND SPECIAL SERVICES, OTHER SERVICES, MATERIALS AND SUPPLIES, SERVICES OF OTHER DEPARTMENTS - TAX COLLECTOR, SERVICES OF OTHER DEPARTMENTS - REPRODUCTION AND SERVICES OF OTHER DEPARTMENTS - CITY MAIL SERVICES, PLACING ON RESERVE $1000 PENDING EIPSC APPROVAL ~~AS RECOMMENDED BY THE MAYOR'S OFFICE~~, CHIEF ADMINISTRATIVE OFFICER FOR FISCAL YEAR 1990-91.

12/14/90 e

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 02-416 | Neighborhood Beautification Fund | | |
| 70-07-00 | Chief Administrative Officer | | |
| Project 001-00 | Neighborhood Beautification | | |
| 51-5121 (054999) | Business License Tax | $ 24,766 | |
| 10-1000 (420505) | Professional and Special Services | | $ 10,000 |
| 10-1200 | Other Services | | 4,500 |
| 11-1300 | Materials and Supplies | | 750 |
| 30-3070 | Services of Other Departments - Tax Collector | | 3,766 |
| 30-3500 | Services of Other Departments - Reproduction | | 750 |
| 30-3510 | Services of Other Departments - City Mail Services | | 5,000 |
| | Total | $ 24,766 | $ 24,766 |

12/14/90 e

Section ~~1.~~ 2. Funds for $1,000, Services of Other Departments - Tax Collector, are hereby placed on reserve and can only be released upon recommendation of the Finance Committee.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

FUNDS AVAILABLE:

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Board of Supervisors, San Francisco

Passed for Second Reading
December 17, 1990
Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Walker Ward
Absent: Supervisors Maher Nelder

Finally Passed
January 7, 1991
Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker
Absent: Supervisors Britt Hongisto Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-33

JAN 15 '91
Date Approved

Mayor

FILE NO. 101-90-34

ORDINANCE NO. 16-91

RO #90131 SA #78

(Government Funding)

APPROPRIATING $658,386 FOR TEMPORARY SALARIES, OVERTIME, RELATED MANDATORY FRINGE BENEFITS, DATA PROCESSING/WORD PROCESSING PROFESSIONAL SERVICES, VEHICLE RENTAL, TRAVEL, POSTAGE, PRINTING, OTHER CURRENT SERVICES, FORMS, PLUMBING SUPPLIES, PAYMENT TO OTHER GOVERNMENTS AND SERVICES OF OTHER DEPARTMENTS - MISCELLANEOUS DEPARTMENTS, PLACING ON RESERVE $272,106 AS ~~RECOMMENDED BY THE MAYOR'S OFFICE~~, WATER DEPARTMENT FOR FISCAL YEAR 1990-91.

2/14/90

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 32-001 | Water Department Operating Fund | | |
| 47-00-00 | Water Department | | |
| G.L. 490 (024018) | Unappropriated Revenue | $658,386 | |
| Project 126-01 | Water Conservation Program | | |
| 02-0200 (387225) | Temporary Salaries | | $367,080 |
| 03-0100 | Overtime | | 41,250 |
| 04-0600 | Retirement | | 61,249 |
| 04-0610 | Health Services | | 13,207 |
| 10-1050 | Data Processing/Word Processing Professional Services | | 25,000 |
| 10-1204 | Vehicle Rental | | 3,300 |
| 10-1120 | Travel | | 2,500 |
| 10-1233 | Postage | | 36,000 |
| 10-1236 | Printing | | 14,000 |
| 10-1299 | Other Current Services | | 49,500 |
| 11-1302 | Forms | | 700 |
| 11-1343 | Plumbing Supplies | | 20,600 |
| 10-1420 | Payment to Other Governments | | 9,000 |
| 30-3890 | Services of Other Departments - Miscellaneous Departments | | 15,000 |
| | Total | $658,386 | $658,386 |

Section 2. Funds are hereby placed on reserve and can only be released upon recommendation of the Finance Committee as follows:

| | | |
|---|---|---|
| 02-0200 | Temporary Salaries | $149,551 |
| 03-0100 | Overtime | 10,000 |
| 04-0600 | Retirement | 26,453 |
| 04-0610 | Health Services | 4,402 |
| 10-1050 | Data Processing/Word Processing Professional Services | 25,000 |
| 10-1233 | Postage | 36,000 |
| 10-1236 | Printing | 7,500 |
| 10-1299 | Other Current Services | 12,500 |
| 11-1302 | Forms | 700 |
| | Total | $272,106 |

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APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

FUNDS AVAILABLE:

BY: Theodore Lakey
DEPUTY CITY ATTORNEY

Samuel D. Yockey
CONTROLLER

WPPADN-916

Board of Supervisors, San Francisco

| | |
|---|---|
| Passed for Second Reading | Finally Passed |
| December 17, 1990 | January 7, 1991 |
| Ayes: Supervisors Alioto Britt Gonzalez Hallinan Hongisto Hsieh Kennedy Walker Ward | Ayes: Supervisors Alioto Gonzalez Hallinan Hsieh Kennedy Maher Nelder Walker |
| Absent: Supervisors Maher Nelder | Absent: Supervisors Britt Hongisto Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

JAN 15 '91
Date Approved

Mayor

File No.
101-90-34

further amended 1/7/91

FILE NO. 118-90-5.3 ORDINANCE NO. 17-91

[Video Display Terminals]

AMENDING PART II, CHAPTER 5 (HEALTH CODE) OF THE SAN FRANCISCO MUNICIPAL CODE BY AMENDING SECTIONS 1302, 1304, AND 1305 TO EXEMPT FIXED CONSOLE CADD HARDWARE EQUIPMENT FROM THE DEFINITION OF TERMINAL; TO APPLY CERTAIN OF THE WORKSTATION STANDARD PROVISIONS PROSPECTIVELY, BEGINNING ONE YEAR AFTER ARTICLE 23 BECOMES EFFECTIVE, AND ONLY TO EQUIPMENT PURCHASED; TO REQUIRE UPGRADING OF EXISTING EQUIPMENT IN STAGES, TO BEGIN THIRTY MONTHS AND TO BE COMPLETED FORTY-EIGHT MONTHS AFTER ARTICLE 23 BECOMES EFFECTIVE; AND TO ELIMINATE THE REQUIREMENT THAT EMPLOYERS PROVIDE A WRITTEN EXPLANATION TO EACH VDT OPERATOR OF WHY NO ALTERNATIVE WORK CAN BE PROVIDED, IF IT CAN NOT BE PROVIDED.

Note: Additions or substitutions are <u>underlined</u>; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter 5 (Health Code) of the San Francisco Municipal Code is hereby amended by amending Section 1302 to read as follows:

SEC. 1302. DEFINITIONS. For purposes of this Article:

(a) "Department" means the Department of Public Health of the City and County of San Francisco.

(b) "Director" means the Director of the Department of Public Health of the City and County of San Francisco or his or her designee.

(c) "Employer" means any person, partnership, firm, association, or corporation and any agent of such business, located or doing business within the City and County of San Francisco, except state or federal government entities, but including the City and County of San Francisco, who has fifteen (15) or more employees for each working day in each of twenty (20) or more calendar weeks in the current or preceding calendar year. "Employee" as used in this Article means any individual who is required or directed by an employer to engage in any employment within the City and County of San Francisco.

(d) "Operator" means an employee who may be expected because of the employee's duties to use video display terminal equipment four (4) hours or more, inclusive of breaks, per shift.

(e) "Terminal" or "Video Display Terminal (VDT)" means any electronic video screen data presentation machine, commonly denominated as video display terminals (VDT) including but not limited to cathode-ray tubes (CRT). Nothing in this Article may be construed to apply to televisions, cash registers, memory typewriters, ((or)) oscilloscope screens((.)) <u>or fixed console computer aided design drafting (CADD) hardware equipment</u>.

Section 2. Part II, Chapter 5 (Health Code) of the San Francisco Municipal Code is hereby amended by amending Section 1304 to read as follows:

SEC. 1304. WORKSTATION STANDARDS. (a) Within ((twenty-four (24) )) <u>twelve (12)</u> months of the effective date of this ((ordinance)) <u>Article 23</u>, every employer<u>, when purchasing VDT workstations or equipment,</u> shall provide an operator who may be expected because of the employee's duties to routinely perform repetitive keyboard motions four (4) hours or more, inclusive of

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breaks, per shift, with user-adjustable workstations and chairs that meet the following minimum standards:

(1) Seating for the workstation shall conform to the provisions of the American National Standard for Human Factors Engineering of Visual Display Terminal Workstations, ANSI/HFS Standard No. 100-1988, Section 8.7 "Seating," or meet the requirements of subsections (a)(1)(A) through (a)(1)(D) as follows:

(A) Seat pans and backrests of chairs shall be upholstered with moisture absorbing material. The upholstery shall be compressible at a minimum in the range of approximately one-half to one inch.

(B) Seat pans shall be adjustable for height and angle

(C) Backrests shall be adjustable for height and to a position behind and forward of the vertical position.

(D) Chairs shall be capable of being swivelled by the user.

(2) Arm rests, wrist rests and foot rests shall be provided upon the request of the operator. Wrist rests shall enable the operator to maintain a neutral position of the wrist while at the keyboard, and shall be padded and without sharp edges.

(3) The adjustment mechanism for adjustable chair seat pans shall be operable by the user from a seated position. The adjustment mechanism for adjustable chair backrests shall be easily operable by the user.

(4) The keyboard shall be detachable from the terminal.

(5) The terminal display support shall be adjustable so that the entire primary viewing area of the terminal is between zero and sixty degrees below the horizontal plane passing through the eyes of the operator. The terminal keyboard, in combination with the seating and the worksurface, shall be adjustable so that the



operator, while seated in a normal upright position, is able to operate the keyboard with his or her forearms, wrists and hands in a position approximately parallel to the floor. The height of the worksurface shall be such as to provide adequate clearance under the worksurface to accommodate the operator's legs in a normal upright seated position.

(b) Within ((twenty-four (24))) <u>twelve (12)</u> months of the effective date of this ((ordinance)) <u>Article 23</u>, every employer, <u>when purchasing VDT workstations or equipment,</u> shall provide an operator who may be expected because of the employee's duties to use video display terminal equipment four (4) hours or more, inclusive of breaks, per shift, with a workstation that meets the following minimum standards:

(1) Workstations shall be illuminated with lights arranged to avoid visual glare and discomfort. The illumination level shall be within 200-500 lux. Task lighting shall be made available upon the request of the operator.

(2) Glare shall be eliminated through methods that include but are not limited to shielding windows with shades, curtains or blinds, positioning the terminal so that the terminal screen is at a right angle to the window producing the glare, fitting video display screens with anti-glare screens and providing keyboards with tops finished in a manner so as to minimize reflection.

(3) A document holder adjustable for placement angle and height shall be provided upon the request of the operator when a document holder is appropriate for the performance of the operator's duties.

(4) Video display screens shall be clean, clear, and free of perceptible flicker to the operator.

/ / /

(5) Direct noise from impact printers shall be reduced to improve ease of communication by placing covers over the printers or by isolating the printers from the rest of the work environment.

1/7/91
ep

(c) As used in this Article, "Routinely perform repetitive keyboard motions" shall not be interpreted to include only brief, intermittent keyboard motions that are ancillary to the employee's performance of other work tasks.

(d) Within thirty (30) months of the effective date of this Article 23, every employer shall (1) upgrade existing VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(a), as necessary to comply with the minimum standards specified in Section 1304(a)(1) through (a)(5); and (2) upgrade existing VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(b), as necessary to comply with the minimum standards specified in Section 1304(b)(1) through (b)(5); provided, however, that the upgrading required by Sections 1304(a) and (b) combined shall not require the employer to expend more than two hundred and fifty dollars ($250.00) per upgraded VDT workstation.

(e) Within forty-eight (48) months of the effective date of this Article 23, for any existing equipment, every employer shall (1) upgrade or replace VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(a), as necessary to comply with the minimum standards specified in Section 1304(a)(1) through (a)(5); and (2) upgrade or replace VDT workstations and equipment that the employer provides to any operator, as defined in Section 1304(b), as necessary to comply with the minimum standards specified in Section 1304(b)(1) through (b)(5).

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Section 3. Part II, Chapter 5 (Health Code) of the San Francisco Municipal Code is hereby amended by amending Section 1305 to read as follows:

SEC. 1305. ALTERNATIVE WORK. (a) Within twenty-four months of the effective date of this ordinance, every employer shall provide an operator who may be expected because of the employee's duties to routinely perform repetitive keyboard motions four (4) hours or more, inclusive of breaks, per shift, with a minimum of a fifteen (15) minute, aggregate alternative work break during or immediately after every two hours of routinely performing repetitive keyboard motions, except where reasonable alternative work cannot be practicably provided ((,in which case the employer shall provide a written explanation to each VDT operator of why no alternative work can be practicably provided)).

(b) The term "alternative work break" as used in this section includes, but is not limited to, performance of work other than operation of a VDT, a rest break from work, a lunch break, or any combination of the above. However, nothing in this section shall be construed to in any way modify, increase or decrease any requirement for rest breaks or lunch breaks from work provided for by any federal or state law or regulation, or to require alternative work breaks inconsistent with the terms of any pertinent collective bargaining agreements or other employment contracts, in effect.

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Elaine C. Warren
Deputy City Attorney

**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, [redacted], Kennedy, Maher, Nelder, Walker, Ward.

Noes: Supervisors Hsieh

Absent: Supervisors Britt

John Taylor Clerk

118-90-5.3
File No.

JAN 18 1991
Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, [redacted], [redacted], Maher, Migden, Shelley, Ward.

Noes: Supervisors Hsieh

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco*

John Taylor Clerk

Mayor

FILE NO. 101-90-44 ORDINANCE NO. 18-91

RO# 90168 SA# 103

[GOVERNMENT FUNDING]

APPROPRIATING $4,000,000 FOR CONTRIBUTION TO AGENCY FUND (CALIFORNIA MEDICAL ASSISTANCE COMMISSION), PUBLIC HEALTH FOR FISCAL YEAR 1990-91, AN EMERGENCY ORDINANCE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| Subsidiary 000006 | General Reserve | $4,000,000 | |
| 83-01-01 | Administration | | |
| 10-1470 (441006) | Contribution to Agency Fund (California Medical Assistance Commission) | | $4,000,000 |

Section 2. The Board of Supervisors adopts this ordinance pursuant to Charter Section 2.301 and in support therefore makes the following findings.

(1) SB 1255 (Chapter 996, Statutes 1989) establishes the Disproportionate Share and Emergency Services Fund ("SB 1255 Fund") to receive money from various sources, including public agencies. The California Medical Assistance Commission ("CMA Commission") is authorized under this statute to negotiate with "disproportionate share hospitals" for the distribution of money in this fund. The CMA Commission has identified San Francisco General Hospital as one of 41 "disproportionate share hospitals" throughout the State.

(2) Federal monies are available to match the amount of State money in this fund. The greater the amount of State money in the fund, the more Federal money will go into the fund for distribution to disproportionate share hospitals. While there is no requirement that San Francisco General Hospital or any other hospital receive monies from the fund, the experience with this joint Federal-State program in other States, as well as the assessment of County and State officials throughout California, is that qualifying hospitals may receive substantial monies from the program. Other California counties contributing to the fund this year include Los Angeles, San Bernardino, and Contra Costa.

(3) The CMA Commission has determined that negotiations for the third round of distributions from the SB 1255 Fund will be based on the amount of dollars deposited in the fund by January 25, 1991. In order to authorize the payment of City and County funds into the SB 1255 Fund by this date, it is necessary that the Board of Supervisors act immediately. The City did not receive official notification from the CMA Commission inviting negotiations with the hospital until January 4, 1991. Moreover, City officials did not have the information necessary to determine and assess the risk to the City in making substantial contributions to the fund until the first of the year. Accordingly, this matter could not be brought before the Board at an earlier time.

(4) A number of circumstances have joined to threaten the City's ability to provide health services to its indigent residents. These include the uncertainty of the State's Fiscal Year 1991-92 budget and Federal allocations for health services, increased demands for health services caused by various conditions, including AIDS and substance abuse, and continued adverse effects on the City's financial condition because of the



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earthquake and the drought. Authorization for an expenditure of City funds to the SB 1255 fund is necessary in order to increase the City's opportunity to take advantage of possible additional State and Federal funds to pay for services that the City may not otherwise be able to afford.

APPROVED AS TO FORM:

LOUISE H. RENNE, CITY ATTORNEY

By: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

Passed as an emergency measure–Board of Supervisors, San Francisco January 14, 1991

Ayes: Supervisors Achtenberg, ~~Britt~~, Britt, Gonzalez, Hallinan, ~~Hsieh~~, Kennedy, Maher, Migden, Shelley, Ward.

~~Noes: Supervisors~~

Absent Supervisors: Alioto Haieh

*I hereby certify that the foregoing ordinance was passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor
Clerk

101-90-44
File No.

JAN 18 1991
Approved

Mayor

FILE NO. 65-90-8

ORDINANCE NO. 19-91

RO #90106

[Cellular Telephone System Site, Lease Agreement]

AUTHORIZING A NEGOTIATED LEASE AGREEMENT FOR CERTAIN SPACE LOCATED AT THE SOUTHEAST WATER POLLUTION CONTROL PLANT.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works and the Executive Director, Clean Water Program; the Director of Property is hereby authorized to arrange for the rental of certain space at the Southeast Water Pollution Control Plant.

Section 2. The rental space consists of an approximate 352 square foot equipment room located at the southwest corner of the third floor of 1701 Jerrold Avenue plus an antenna installation on an adjacent chimney stack.

Section 3. The Director of Property has negotiated a lease beginning January 1, 1991 and ending December 31, 1995 with Bay Area Cellular Telephone Company, and they have offered to rent, subject to the terms and conditions set forth in the proposed lease on file in the office of the Director of Property, for the sum of $7,536.00 for the first year.

Section 4. The Director of Property has determined that Bay Area Cellular Telephone Company would be a responsible tenant and recommends the award of this lease to them.

Section 5. The proposal of Bay Area Cellular Telephone Company is hereby accepted and the Mayor and the Clerk of the Board of Supervisors are authorized and directed to execute said Lease Agreement on behalf of the City and County of San Francisco, and subject to any additions or deletions to said Lease Agreement as determined to be necessary in the interests of the City by the City Attorney.

RECOMMENDED:

Director of Public Works

Director of Property

Executive Director

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], Hsieh, Kennedy, Maher, Nelder, Walker, [redacted].

[redacted]

Absent: Supervisors Britt Hongisto Ward

John L. Taylor Clerk

65-90-8 File No.

JAN 18 1991 Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor Clerk

Mayor

FILE NO. 65-90-10 ORDINANCE NO. 20-91

[Pre-release Program for Jail Inmates - Lease Agreement]

AUTHORIZING AND APPROVING LEASE OF CITY-OWNED PROPERTY LOCATED ON FIRST FLOOR, ROOM 116 OF THE HALL OF JUSTICE, 850 BRYANT STREET, TO THE NORTHERN CALIFORNIA SERVICE LEAGUE.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Chief Administrative Officer; the Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, a municipal corporation, as Lessor, are hereby authorized and directed to execute a two year lease with the Northern California Service League for rental space located on the first floor, Room 116 of the Hall of Justice, 850 Bryant Street, for a Pre-release Program, providing social services for jail inmates.

Section 2. The proposed use provides a public benefit and as such, the rental of said property is established at One (1) Dollar per year.

Section 3. The Director of Property is hereby authorized and directed to prepare said lease subject to the terms and conditions on file with the Clerk of the Board of Supervisors and with approval as to form by the City Attorney.

RECOMMENDED:

Chief Administrative Officer

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By
Deputy City Attorney

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], Hsieh, Kennedy, Maher, Nelder, Walker, [redacted].

[redacted]

Absent: Supervisors Britt Hongisto Ward

Clerk

65-90-10
File No.

JAN 18 1991
Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted] Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

Clerk

Mayor

FILE NO. 65-90-11 ORDINANCE NO. 21-91

[Children's Waiting Room - Lease Agreement]

AUTHORIZING AND APPROVING LEASE OF CITY-OWNED PROPERTY LOCATED ON FIRST FLOOR, ROOM 106 OF THE HALL OF JUSTICE, 850 BRYANT STREET, TO THE NORTHERN CALIFORNIA SERVICE LEAGUE.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Chief Administrative Officer; the Mayor and the Clerk of the Board of Supervisors, on behalf of the City and County of San Francisco, a municipal corporation, as Lessor, are hereby authorized and directed to execute a two year lease with the Northern California Service League for rental space located on the first floor, Room 106 of the Hall of Justice, 850 Bryant Street, for a Children's Waiting Room.

Section 2. The proposed use provides a public benefit and as such, the rental of said property is established at One (1) Dollar per year.

Section 3. The Director of Property is hereby authorized and directed to prepare said lease subject to the terms and conditions on file with the Clerk of the Board of Supervisors and with approval as to form by the City Attorney.

RECOMMENDED:

Chief Administrative Officer

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By
Deputy City Attorney

2392

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], Hsieh, Kennedy, Maher, Nelder, Walker, [redacted]

[redacted]

Absent: Supervisors Britt Hongisto Ward

Clerk

65-90-11
File No.

JAN 18 1991
Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

Clerk

Mayor

FILE NO. 96-90-5 ORDINANCE NO. 22-91

(Sale of City-owned Property)

AUTHORIZING THE SALE OF CITY-OWNED PROPERTY; AND ADOPTING FINDINGS PURSUANT TO PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City & County of San Francisco:

Section 1. The Municipal Railway Department has jurisdiction of City-owned Lot 1, Block 2203 at the intersection of 14th Avenue and Quintara Street. Portions of the house on Lot 52, Block 2203, adjacent and to the south of the City's property are encroaching upon the City-owned property.

Section 2. The Muni Railway has determined that a portion of the property is not required for municipal purposes and may be sold to the adjoining property owner. The area to be conveyed is described as approximately 179 square feet, the fee title portion measuring .95 feet x 55.18 feet on approximately 52 square feet and the easement portion for the roof overhang measuring 2.3 feet x 55.13 or approximately 127 square feet.

Section 3. Pursuant to Section 7.401 of the City Charter, the Director of Property has made an appraisal of the value of said property rights. The encroaching property owners have offered to purchase said parcel for $6500 which sum represents 100% of the appraised value.

Section 4. The Department of City Planning has reported on October 31, 1990 that the sale of the subject property is in conformity with the Master Plan and consistent with the Eight Priority Policies of Planning Code Section 101.1 and the Board of Supervisors hereby adopts as its own the findings of consistency with the Eight Priority Policies as set forth in the Department of City Planning's letter dated October 31, 1990, which is on file with the Clerk of the Board of Supervisors.

Section 5. In accordance with the recommendations of the General Manager of the Public Utilities Commission, General Manager Municipal Railway and the Director of Property, the Board of Supervisors hereby authorizes the Mayor and Clerk of the Board of Supervisors to execute and the Director of Property deliver a deed to the adjoining owners upon receipt of the purchase price and conditions of that certain

////// /////

"Offer to Purchase" on file with the Clerk of the Board of Supervisors.

RECOMMENDED:

General Manager, Public Utilities Commission
Pursuant to PUC Res. No. 90-0397

General Manager, Municipal Railway

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE
City Attorney

By
Deputy City Attorney

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2379

(Real Estate Dept.)

**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, [redacted], Walker, Ward.

[redacted]

Absent: Supervisors Britt Nelder

John L. Taylor Clerk

96-90-5 JAN 18 1991

File No. Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor Clerk

Mayor

FILE NO. 97-90-61 ORDINANCE NO. 23-91

(Budget Procedures)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 3.06 REGARDING MEMBERSHIP OF THE CAPITAL IMPROVEMENTS ADVISORY COMMITTEE ~~AND~~ BY ALLOWING APPOINTMENTS OF PERMANENT ~~ALTERNATIVES~~ ALTERNATES.

e 12/19/90

Be it ordained by the people of the City and County of San Francisco:

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parenthesis)).

Section 2. Amending the San Francisco Administrative Code by amending Section 3.06 to read as follows:

SECTION 3.06. CAPITAL IMPROVEMENT ADVISORY COMMITTEE - MEMBERSHIP.

The capital improvement advisory committee will be composed of the chief administrative officer, who shall act as chair, the controller, the director of public works, the director of planning, the general manager of utilities, the general manager of the recreation and park department, the director of airports, the director of property, the director of public health, and the port director. Each member of the committee in writing may appoint a permanent alternate to sit in the member's place in his or her absence.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kneeley
Deputy City Attorney

RECOMMENDED:

RUDOLF NOTHENBERG
Chief Administrative Officer

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, [redacted], Walker, Ward.

[redacted]

Absent: Supervisors Britt Nelder

John L. Taylor Clerk

97-90-61 File No.

JAN 18 1991 Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor Clerk

Mayor

FILE NO. 101-90-31 ORDINANCE NO. 24-91

RO #90114 SA #76

(GOVERNMENT FUNDING)

APPROPRIATING $467,962 FOR TEMPORARY SALARIES, OVERTIME, MANDATORY FRINGE BENEFITS, OTHER CONTRACTUAL SERVICES, UNIFORMS AND FOOD PREPARATION EQUIPMENT, SHERIFF DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| Subsidiary 000006 | General Reserve | $ 467,962 | |
| 06-00-00 | Sheriff | | |
| 02-0200 (306589) | Temporary Salaries | | $ 225,216 ~~$ 176,942~~ |
| 12/19/90 03-0100 | Overtime | | 176,942 ~~225,216~~ |
| 04-0600 | Fringe Benefits | | 3,491 |
| 10-1090 | Other Contractual Services | | 32,400 |
| 11-1374 | Uniforms | | 8,700 |
| 22-2263 | Food Preparation Equipment | | 21,213 |
| | Total | $ 467,962 | $ 467,962 |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: [signature]
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

[signature]
CONTROLLER

ac(1035ADM/62)

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, [redacted], Walker, Ward.

[redacted]

Absent: Supervisors Britt Nelder

[signature] Clerk

101-90-31 File No.

JAN 18 1991 Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

[signature] Clerk

[signature] Mayor

AS AMENDED IN COMMITTEE 12/19/90

FILE NO. 101-90-32 ORDINANCE NO. 35-91

RO #90015 SA #9

(Government Funding)

APPROPRIATING ~~$20,600~~ $18,883 FOR EQUIPMENT PURCHASE, SERVICES OF OTHER DEPARTMENTS - POLICE SECURITY AND SERVICES OF OTHER DEPARTMENTS - PUBLIC WORKS - STREET CLEANING DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| 60-6116 (041087) | Unclaimed Gas Tax - Agricultural | $ 18,883 ~~$ 20,600~~ | |
| 72-01-00 | Agriculture/Weights and Measure | | |
| 22-2200 (422014) | Equipment Purchase | | $ 9,489 ~~$ 11,000~~ |
| 72-02-00 | Farmers Market | | |
| 30-3000 (422048) | Services of Other Departments - Police Security | | $ 6,794 ~~$ 7,000~~ |
| 30-3190 (422048) | Services of Other Departments - Public Works - Street Cleaning | | 2,600 |
| | Total - Farmers Market | $ 18,883 | $ 9,394 ~~$ 9,600~~ |
| | Grand Total | $ 18,883 ~~$ 20,600~~ | $ 18,883 ~~$ 20,600~~ |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, ~~Britt~~, Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, ~~Nelder~~, Walker, Ward.

~~Noes: Supervisors~~

Absent: Supervisors Britt Nelder

_____ Clerk

101-90-32
File No.

JAN 18 1991
Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, ~~Alioto~~, Britt, Gonzalez, Hallinan, Hsieh, ~~Kennedy~~, Maher, Migden, Shelley, Ward.

~~Noes: Supervisors~~

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

_____ Clerk

_____ Mayor

AS AMENDED IN COMMITTEE 1/2/91

FILE NO. 101-90-35 ORDINANCE NO. 26-91

RO #90135 SA #80

(Government Funding)

1/2/91 e APPROPRIATING ~~$76,072~~ $33,112 FOR TRAINING AND MEMBERSHIP DUES, MUNICIPAL RAILWAY FOR FISCAL YEAR 1990-91; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L.496 (000026) | Unappropriated Revenue Reserved | $ 33,112 | |
| Subsidiary 000006 | General Reserve | ~~$ 76,072~~ | |
| 99-00-00 | General Fund Unallocated | | |
| 48-4700 (841601) | Contribution Transfer Out to #31-001; Municipal Railway Operating Fund | | $ 33,112 ~~$ 76,072~~ |
| 31-001 | Municipal Railway Operating Fund | | |
| 35-00-00 | Municipal Railway | | |
| 98-9701 (196113) | Contribution Transfer In From #01-001; General Fund | $ 33,112 ~~$ 76,072~~ | |
| 35-01-01 | Support Services | | |
| 10-1130 (560714) | Training | | $ 3,938 |
| 35-02-00 | Management | | |
| 10-1130 (560946) | Training | | $ 18,458 |
| 10-1440 | Membership Dues | | 10,716 |
| | Total - Management | | $ 29,174 |
| ~~35-03-02~~ | ~~Auto Group~~ | | |
| ~~10-1130 (560789)~~ | ~~Training~~ | | ~~$ 42,960~~ |
| | Total | ~~$ 76,072~~ $ 33,112 | ~~$ 76,072~~ $ 33,112 |

Section 2. This Ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, [redacted], Walker, Ward.

~~Noes: Supervisors~~

Absent: Supervisors Britt Nelder

John Taylor Clerk

101-90-35 File No.

JAN 18 1991 Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

~~Noes: Supervisors~~

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John Taylor Clerk

Mayor

FILE NO. 101-90-36 ORDINANCE NO. 27-91

RO #90136 SA #86

(GOVERNMENT FUNDING)

APPROPRIATING $1,000,000 FOR CAPITAL IMPROVEMENT PROJECT (SAN FRANCISCO GENERAL HOSPITAL PARKING FACILITY), PARKING AND TRAFFIC FOR FISCAL YEAR 1990-91; PLACING $1,000,000 ON RESERVE.

1/2/91

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 02-071 | Off-Street Parking Fund | | |
| 36-02-00 | Parking & Traffic - Parking Authority | | |
| G.L. 490 (003327) | Unappropriated Revenue | $1,000,000 | |
| 20-2030 (353144) | Capital Improvement Project | | |
| Project | San Francisco General Hospital | | |
| | Parking Facility | | $1,000,000 |

Section 2. Funds in the amount of $1,000,000 are hereby placed on reserve, pend- selection of contractors and determination of hours of professional services, hourly rates and MBD/WBE/LBE status, to be released by the Finance Committee.

1/2/91 e

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakay
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:
Samuel D. Yockey by
CONTROLLER

ac(1035ADM/63)

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, [redacted], Walker, Ward.

[redacted]

Absent: Supervisors Britt Nelder

John L. Taylor Clerk

101-90-36 File No.

JAN 18 1991 Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor Clerk

Mayor

FILE NO. 124-90-7 ORDINANCE NO. 28-91

[Speed Limits on 8th Street and Market Street]

AMENDING PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING SECTIONS 175.31 and 175.32 THERETO, CHANGING EXISTING SPEED LIMIT ZONES ON 8TH STREET AND MARKET STREET.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Article 10, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended by adding Section 175.31 to read as follows:

SEC. 175.31. A prima facie speed limit of 30 miles per hour is hereby established on 8th Street between Market Street and Townsend Street.

Section 2. Article 10, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended by adding Section 175.32 to read as follows:

SEC. 175.32. A prima facie speed limit of 30 miles per hour is hereby established on Market Street between Franklin Street and Eureka Street.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

DESCRIPTION APPROVED:

Norman E. Bray
City Traffic Engineer

RECOMMENDED:

Rina Cutler
Executive Director of Traffic and Parking

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**Passed for Second Reading**
Board of Supervisors, San Francisco
January 7, 1991
Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, [redacted], [redacted], Ward.
[redacted]
Absent: Supervisors Britt Nelder Walker Ward

John L. Taylor Clerk

124-90-7 File No.
JAN 18 1991 Approved

**Read Second Time and Finally Passed**
Board of Supervisors, San Francisco
January 14, 1991
Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.
[redacted]
Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco*

John L. Taylor Clerk

Art Agnos Mayor

AMENDMENT OF THE WHOLE

FILE NO. 170-90-1.4 ORDINANCE NO. 29-91

(Equipment Lease)

PROVIDING FOR THE APPROVAL AND EXECUTION AND DELIVERY BY OFFICERS OF THE CITY AND COUNTY OF SAN FRANCISCO OF AN EQUIPMENT LEASE BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO FINANCE CORPORATION, AS LESSOR AND THE CITY AND COUNTY OF SAN FRANCISCO, AS LESSEE WITH RESPECT TO EQUIPMENT USED OR TO BE USED FOR CITY PURPOSES; AUTHORIZING THE MAYOR WITH THE APPROVAL OF THE CITY ATTORNEY TO MAKE SUCH CHANGES IN THE LEASE AS MAY BE NECESSARY IN THE INTEREST OF THE CITY; AND APPROVING THE ISSUANCE OF LEASE REVENUE BONDS BY SAID NONPROFIT CORPORATION; AND PROVIDING THAT SAID BONDS SHALL BE SUBJECT TO THE CERTIFICATION OF THE CONTROLLER OF THE CITY AND COUNTY OF SAN FRANCISCO PRIOR TO THE SALE OF SAID BONDS; AND PROVIDING FOR THE EXECUTION OF DOCUMENTS IN CONNECTION THEREWITH AND RATIFYING PREVIOUS ACTIONS TAKEN IN CONNECTION THEREWITH.

WHEREAS, Pursuant to Section 7.309(c)(3) of the Charter of the City and County of San Francisco (the "Charter") as approved by the voters of the City in June 1990, the Board of Supervisors of the City and County of San Francisco (the "Board") may approve lease financings involving a nonprofit corporation established for such purposes for the acquisition of equipment, the obligations with respect to which shall not exceed in the aggregate at one time a principal amount of $20 million increased by five percent in each fiscal year provided that the Controller of the City and County of San Francisco makes the required certification prior to the sale of such obligations; and

WHEREAS, The City and County of San Francisco Finance Corporation (the "Corporation"), a California nonprofit public benefit corporation, is being formed to among other purposes serve as the nonprofit corporation pursuant to Section 7.309(c)(3) of the Charter; and



WHEREAS, The Board has determined to enter into an equipment lease with the Corporation to provide for the acquisition, construction and installation of equipment to be used for City purposes by the Corporation and the leasing of said equipment and certain equipment subject to existing leases to the City; and

WHEREAS, The Corporation proposes to issue lease revenue bonds secured by base rentals to be paid by the City and County of San Francisco (the "City") under said equipment lease;

~~NOW THEREFORE,~~ BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. In accordance with the recommendation of the Chief Administrative Officer of the City, the form of the Equipment Lease (the "Equipment Lease") by and between the Corporation and the City presented to this Board, copies of which are on file with the Clerk of the Board, is hereby approved. The Mayor of the City is hereby authorized to execute, and the Clerk of the Board is hereby authorized to attest and affix the seal of the City thereon, the Equipment Lease in substantially the form presented to the Board, with such modifications, changes, or additions as he may make or approve in accordance with Section 2.

Section 2. The Mayor is hereby authorized to approve and make such modifications, changes or additions to the Equipment Lease, upon consultation with the City Attorney of the City, as may be necessary or desirable in the interests of the City, and which changes do not materially increase the obligations of the City under the Equipment Lease, such approval to be conclusively evidenced by the execution and delivery by the Mayor and the Clerk of the Board of the Equipment Lease; provided, however, that the total project costs of the project (the "Project") to be financed with the proceeds of the Bonds (as defined hereinafter)

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shall not exceed $9,000,000; and provided, further, that the maximum annual rental payable under the Equipment Lease with respect to the Project shall not exceed $2,640,125.

Section 3. The issuance by the Corporation of not to exceed $9,000,000 aggregate principal amount of City and County of San Francisco Finance Corporation Lease Revenue Bonds, Series 1991A (the "Bonds") to be secured by the payment of base rental by the City pursuant to the Equipment Lease is hereby approved; provided, however, that the Bonds shall not be issued unless prior to the sale thereof, the Controller of the City certifies that in his opinion the net interest cost to the City will be lower as a result of the issuance of the Bonds than other financings involving a lease or leases.

Section 4. The Mayor, the City Attorney, the Controller, the Chief Administrative Officer, the Clerk of the Board and the other officers of the City and their duly authorized deputies and agents are hereby authorized and directed, jointly and severally, to execute and deliver such certificates, requests or other documents as they may deem necessary or desirable to facilitate the execution, delivery by the City of the Equipment Lease and the consummation of the financing contemplated thereby, and to otherwise carry out the provisions of this ordinance.

Section 5. All actions authorized and directed by this ordinance and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kneal
Assistant Chief Deputy City Attorney

CHIEF ADMINISTRATIVE OFFICER

0922w



12/19/90

BOARD OF SUPERVISORS

**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, Hongisto, Hsieh, Kennedy, Maher, [redacted], Walker, Ward.

[redacted]

Absent: Supervisors Britt Nelder

John L. Taylor Clerk

170-90-1.4
File No.

JAN 18 1991
Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 14, 1991

Ayes: Supervisors Achtenberg, [redacted], Britt, Gonzalez, Hallinan, Hsieh, [redacted], Maher, Migden, Shelley, Ward.

[redacted]

Absent Supervisors: Alioto Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor Clerk

Mayor

FILE NO. 109-90-2 ORDINANCE NO. 30-91

[Evictions By Tenants in Common]

AMENDING CHAPTER 37 OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 37.9 THEREOF TO PROVIDE THAT LANDLORD'S WHO BECOME OWNERS OF RECORD MORE THAN THIRTY DAYS AFTER THE MAYOR HAS APPROVED THIS ORDINANCE MAY NOT EVICT TENANTS ON THE GROUND THAT THE LANDLORD OR A RELATIVE INTENDS TO OCCUPY THE UNIT UNLESS THE LANDLORD OWNS AT LEAST TWENTY FIVE PERCENT OF THE BUILDING.

NOTE: Additions are <u>underlined</u>; deletions are in ((double parenthesis))

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 37.9 thereof, to read as follows:

SEC. 37.9. <u>Evictions</u>. Notwithstanding Section 37.3, this section shall apply as of August 24, 1980, to all landlords and tenants of rental units as defined in Section 37.2(o).

(a) A landlord shall not endeavor to recover possession of a rental unit unless:

(1) The tenant has failed to pay the rent to which the landlord is lawfully entitled under the oral or written agreement between the tenant and landlord or habitually pays the rent late or gives checks which are frequently returned because there are insufficient funds in the checking account; or

(2) The tenant has violated a lawful obligation or covenant of tenancy other than the obligation to surrender possession upon proper notice and failure to cure such violation after having received written notice thereof from the landlord; or

(3) The tenant is committing or permitting to exist a nuisance in, or is causing substantial damage to, the rental unit, or is creating a substantial interference with the comfort, safety or enjoyment of the landlord or other tenants in the building, and the nature of such nuisance, damage or interference is specifically stated by the landlord in the writing as required by Section 37.9(c); or

(4) The tenant is using or permitting a rental unit to be used for any illegal purpose; or

(5) The tenant, who had an oral or written agreement with the landlord which has terminated, has refused after written request or demand by the landlord to execute a written extension or renewal thereof for a further term of like duration and under such terms which are materially the same as in the previous agreement provided that such terms do not conflict with any of the provisions of this chapter; or

(6) The tenant has, after written notice to cease, refused the landlord access to the rental unit as required by state or local law; or

(7) The tenant holding at the end of the term of the oral or written agreement is a subtenant not approved by the landlord; or

(8) <u>(A) For landlords who become owners of record of the rental unit on or before the thirtieth (30th) day after the Mayor has approved this amendment, the</u> ((The)) landlord seeks to recover possession in good faith, without ulterior reasons and with honest intent, for the landlord's use or occupancy as his or her principal residence, or for the use and occupancy as the principal residence of the landlord's children, parents, grandparents, grandchildren, brother or sister, or the landlord's spouse or the spouses of such relations, for a period of at least



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12 continuous months. For purposes of this subsection, the term landlord shall be defined as an owner of record of at least 10% interest in the property. A landlord may not recover possession under this subsection if a comparable unit in the building is already vacant and available, or if such a unit becomes vacant and available during the period of the notice terminating tenancy. If a comparable unit does become vacant and available during said notice period, the landlord shall rescind the notice to vacate. It shall be rebuttably presumed that the landlord has not acted in good faith if the owner or relative for whom the tenant was evicted does not move into the unit and occupy said unit for a minimum of 12 continuous months; or

(B) For landlords who become owners of record of the rental unit more than thirty (30) days after the Mayor has approved this amendment, the landlord seeks to recover possession in good faith, without ulterior reasons and with honest intent, for the landlord's use or occupancy as his or her principal residence, or for the use and occupancy as the principal residence of the landlord's children, parents, grandparents, grandchildren, brother or sister, or the landlord's spouse or the spouses of such relations, for a period of at least 12 continuous months. For purposes of this subsection, the term landlord shall be defined as an owner of record of at least 25% interest in the property. A landlord may not recover possession under this subsection if a comparable unit in the building is already vacant and available, or if such a unit becomes vacant and available during the period of the notice terminating tenancy. If a comparable unit does become vacant and available during said notice period, the landlord shall rescind the notice to vacate. It shall be rebuttably presumed that the landlord has not acted



in good faith if the owner or relative for whom the tenant was evicted does not move into the unit and occupy said unit for a minimum of 12 continuous months; or

(9) The landlord seeks to recover possession in good faith in order to sell the unit in accordance with a condominium conversion approved under the San Francisco subdivision ordinance and does so without ulterior reasons and with honest intent; or

(10) The landlord seeks to recover possession in good faith in order to demolish or to otherwise permanently remove the rental unit from housing use and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent; or

(11) The landlord seeks in good faith to remove temporarily the unit from housing use in order to be able to carry out capital improvements or rehabilitation work and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent. Any tenant who vacates the unit under such circumstances shall have the right to reoccupy the unit at the prior rent adjusted in accordance with the provisions of this chapter. The tenant will vacate the unit only for the minimum time required to do the work. On or before the date upon which notice to vacate is given, the landlord shall advise the tenant in writing that the rehabilitation or capital improvement plans are on file with the Central Permit Bureau of the Department of Public Works located at 450 McAllister Street and that arrangements for reviewing such plans can be made with the Central Permit Bureau. In addition to the above, no landlord shall endeavor to recover possession of any unit subject to a RAP

loan as set forth in Section 37.2(k) of this chapter except as provided in Section 32.69 of the San Francisco Administrative Code. The tenant shall not be required to vacate pursuant to this subsection for a period in excess of three months, provided, however, that such time period may be extended by the board or its hearing officers upon application by the landlord. The board shall adopt rules and regulations to implement the application procedure. Any landlord who seeks to recover possession under this subsection shall pay the tenant actual costs up to $1,000 for moving and relocation expenses not less than 10 days prior to recovery of possession; or

(12) The landlord seeks to recover possession in good faith in order to carry out substantial rehabilitation, as defined in Sec. 37.2(q), and has obtained all the necessary permits on or before the date upon which notice to vacate is given, and does so without ulterior reasons and with honest intent. Notwithstanding the above, no landlord shall endeavor to recover possession of any unit subject to a RAP loan as set forth in Section 37.2(k) of this chapter except as provided in Section 32.69 of the San Francisco Administrative Code; or

(13) The landlord, who does not have cause to evict under any other provision of this subsection (a), wishes to withdraw from rent or lease all rental units within any detached physical structure and, in addition, in the case of any detached physical structure containing three or fewer rental units, any other rental units on the same lot, and complies in full with Section 37.9A with respect to each such unit; provided, however, that a unit classified as a residential unit under Chapter 41 of this Code which is vacated under this subsection may not be put to any use other than that of a residential hotel unit without



compliance with the provisions of Section 41.9 of this Code.

(b) A landlord who resides in the same rental unit with his or her tenant may evict said tenant without just cause as required under subsection (a) above.

(c) A landlord shall not endeavor to recover possession of a rental unit unless at least one of the grounds enumerated in subsections (a) or (b) above is the landlord's dominant motive for recovering possession and unless the landlord informs the tenant in writing on or before the date upon which notice to vacate is given of the grounds under which possession is sought and that advice regarding the notice to vacate is available from the Residential Rent Stabilization and Arbitration Board, before endeavoring to recover possession.

(d) No landlord may cause a tenant to quit involuntarily or threaten to bring any action to recover possession, or decrease any services, or increase the rent, or take any other action where the landlord's dominant motive is retaliation for the tenant's exercise of any rights under the law. Such retaliation shall be a defense to any action to recover possession. In an action to recover possession of a rental unit, proof of the exercise by the tenant of rights under the law within 6 months prior to the alleged act of retaliation shall create a rebuttable presumption that the landlord's act was retaliatory.

(e) It shall be unlawful for a landlord or any other person who willfully assists the landlord to endeavor to recover possession or to evict a tenant except as provided in Sec. 37.9(a) and (b). Any person endeavoring to recover possession of a rental unit from a tenant or evicting a tenant in a manner not provided for in Sec. 37.9(a) or (b) without having a substantial

basis in fact for the eviction as provided for in Sec. 37.9(a) shall be guilty of a misdemeanor and shall be subject, upon conviction, to the fines and penalties set forth in Sec. 37.10. Any waiver by a tenant of rights under this chapter shall be void as contrary to public policy.

(f) Whenever a landlord wrongfully endeavors to recover possession or recovers possession of a rental unit in violation of Sections 37.9 and/or 37.10 as enacted herein, the tenant or board may institute a civil proceeding for injunctive relief, money damages of not less than three times actual damages, and whatever other relief the court deems appropriate. The prevailing party shall be entitled to reasonable attorney's fees and costs pursuant to order of the court. The remedy available under this subsection shall be in addition to any other existing remedies which may be available to the tenant or the board.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Andrew W. Schwartz
Deputy City Attorney

December 17, 1990

9195j





Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| January 14, 1991 | § | January 22, 1991 |
| Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Migden Shelley Ward |
| Noes: Supervisors Hsieh Maher | § | Noes: Supervisors Hsieh Kennedy Maher |
| Absent: Supervisors Alioto Kennedy | § | Absent: Supervisors Alioto |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
109-90-2

JAN 2 2 1991
Date Approved

Doris M. Ward
ACTING Mayor

FILE NO. 36-90-5 ORDINANCE NO. 31-91

(Bernal Heights SUD Map Change)

AMENDING THE SAN FRANCISCO ZONING MAP TO ESTABLISH THE BOUNDARIES FOR THE BERNAL HEIGHTS SPECIAL USE DISTRICT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Sectional Map Nos. 7SU, 8SU and 11SU of the Zoning Map are hereby amended to establish the boundaries of the Bernal Heights Special Use District, encompassing all or portions of the following blocks and lots: All of blocks 5504, 5505, 5506, 5513, 5514, 5515, 5519 5520, 5521, 5522, 5525, 5526, 5527, 5528, 5529, 5530, 5531, 5532, 5534, 5536, 5536A, 5537, 5538, 5539, 5540, 5541, 5542, 5543, 5544, 5545, 5547, 5549, 5550, 5551, 5554, 5555, 5556, 5574, 5575, 5577, 5610, 5610A, 5611, 5612, 5613, 5614, 5616, 5517, 5618, 5619, 5620, 5633, 5634, 5635, 5637, 5638, 5639, 5643, 5644, 5645, 5646, 5647, 5648, 5649, 5650, 5651, 5652, 5653, 3654, 5655, 5656, 5658, 5670, 5671, 5672, 5675, 5676, 5681, 5685, 5686, 5687, 5688, 5689, 5690, 5697, 5698, 5699, 5700, 5701, 5703, 5704, 5705, 5706, 5708, 5709, 5715, 5716, 5717, 5720 Except Lot 59, 5721, 5722, 5723, 5724, 5725, 5726, 5727, 5728 Except Lot 1, 5729, 5730, 5735 Except Lot 5 and part of Lot 19, 5736, 5737, 5738, 5739, 5740, 5741, 5742, 5743, 5744, 5745, 5746 Except Lots 18, 18A, 19, 20, 21, 22, and 25, 5805, 5806, 5807, 5808, 5809, 5810, 5811, 5812, 5813, 5814 Except Part of Lot 40, 5815 Except Lot 28 and Part of Lots 29, 30, 31, 32 and 39, 5825, 5826, 5827, 5828, 5501 Lots 1, 1A, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, part of 33 and 34, 34A, 35, 36, 37, 38, 39, 40, 41, 42, 43, 55, 56, 57, 57A, 58, 58A, 59, 60, 61, 62, 63, 64,



65, 65A, 65B, 66, 67, 68, 69, 70, 71, 72, and 73; 5503 Lots 5A, 6, 6A, 7, 8, 8A, 8B, 8C, 9, 10, 11, 11A, 12, 13, 14, 15, 16, 17, 18, 22, 23, 24, 25, 25A, 26, 27, 28, 29, 30, 31, 32 and 33, 5511 Lots 3, 4, 5, 6, 7, 9 and 10; 5512 Lots 3A, 3B, 3C, 3D, 3E, 3F, 3G, 4, 5A, 7A, 8, 9, 13, 14, 15, 29, 30, 31, 32 and 33; 5517 Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 19, 21, 21A, 21C, 21D, 21F, 21G, 23, 24, 25, 26, 27, 28, 29, 30, 30A, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 62A, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 74A, 75, 75A, 76, 77, 78, 79, 80, 81, 82, 83, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100 and 101; 5518 Lots 1, 2, 3, 4, 4A, 5, 6, 7, 8, 9, 10, 11, 21, 22, 23, 24 and 25; 5523 Lots 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 12A, 13, 14, 15, 16, 17, 17A, 17B, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 33, 34, 35, 36, 37, 38, 39, 40, 41, 44, 45, 45A, and 50; 5524 Lots 3, 4, 5, 6, 7, 20, 21, 22, 23, 23A, 24, 25, 26, 27, 27A, 28, 29, 30, 31, 32, 33, 33A, 33B, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 61, 62, 63, 64, 76, 77, 78, 79 and 80; 5535 Lots 1, 3, 5, 6, 7, 8, 9, 10, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; 5557 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 15, 18, 19, 20, 21, 22, 23, 25 and 26; 5609 Lots 1, 4, 5, 6, 7, 8, 9, 18, 19, 20, 21, 22, 23, 24, 25, 26 and 27; 5615 Lots 1, 2, 3, 4, 4A, 5, 6, 8, 9, 12, 13, 14, 15, 16, 17, 19, 20, 24, 24A, 24B, 24C, 24D, 25, 26, Part of 36A, 37, 46, 53, 54, 55, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 73, 74, 77 and 81; 5621 Lots 11, 12, 13, 13A and 14; 5622 Lots 13, 14, 15, 16, 17, 18 and 19; 5623 Lots 2, 13, 14, 15, 16, 17, 18, 19, 20, and 21; 5624 Lots 10, 11, 12, 13, 14, 15, 16, 17, 18, 20, 21, 22, 23, 36 and 37; 5625 Lots 11, 13, 14, 15, 18, 19, 20, 21, 22, 23, 24, 25, 26,

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BOARD OF SUPERVISORS

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27, 28, 29, 30 and 40; 5626 Lots 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30 and 39; 5627 Lots 14, 15, 16, 17, 21, 22, 23, 27, 28, 29, 42, 43, 44 and 45; 5628 Lots 14, 15, 16, 17, 18, 20, 22, 23, 24, 25, 27, 28 and 46; 5629 Lots 14, 15, 16, 17, 18, 19, 21, 22, 23, 24, 25 26, 28, 29, 30, 31 and 32; 5632 Lots 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, and 16; 5636 Lots 20, 21, 22, 23 and 24; 5640 Lots 1, 2, 3, 4, 5, 6, 10, 23, 24, 25, 30, 31, 32 and 33; 5641 Lots 4, 5, 6, 7, 8, 10, 18, 19, 21, 22, 23, 24 and 25; 5642 Lots 2, 4, 5, 6, 7, 8, 9, 11A, 12, 13, 15, 16, 17, 18, 31, 32, 33, 34, 35, 36, 37, 38, 39, 41, 42, 44, 55, 57, 58, 60, 61 and 62; 5657 Lots 10, 11, 12, 13, 14, 15, 16, 17, 20, 21, 22, 23, 24, 25, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 43, 44, 45, 46, 47, 48, and 49; 5659 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 and 31; 5660 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37; 5661 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37 and 38; 5662 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34; 5663 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36 and 37; 5664 Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 13, 14, 15, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 34; 5665 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; 5666 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, and 32; 5667 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 20, 21, 22 and 23; 5668 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,



15, 16, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, and 36; 5669 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, and 31; 5673 Lots 1, 2, 3, 4, 4A, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, part of 23, 26, 28, 29, 30, 31, 32, 33, 34, 35, 36, 42, 43, 44, 45 and 46; 5674 Lots 1, 2, 3, 3A, 4, 4A, 5, 6, 6A, 7, 7A, 8, 8A, 9, 10, 11, 12, 12A, 13, 14, 15, 15A, 16, 17, 18, and 19; 5677 Lots 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 18, 19, 20, 23, and 24; 5678 Lots 4, 5, 6, 7, 8, 8A, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21; 5680 Lots 2, 3, 4, 5, 6, and 7; 5682 Lots 4, 5, 6, 7, and 8; 5683 Lots 2, 3, 4, 5, 6, 7, 8, and 9; 5684 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 19; 5691 Lots 23, 24, 32, 33, 34, 35, 36, 37, 47, 48, 49, and 50; 5695 Lots 16, 17, 18, 19, and 20; 5696 Lots 28, 29, 30, 31, and 32; 5702 Lots 1, 2, 3, 4, 5, 6, 27, 28, 29, 30, 31, and 32; 5707 Lots 2, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 14A, 15, 16, 17, 19, 20, 21, 22, 23, 24, and 25; 5710 Lots 1, 2, 3, 4, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 27A, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, and 51; 5712 Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 21A, 22, 22A, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, and 44; 5713 Lots 1, 2, 3, 4, 5, 6, 7, 10, 11, 12, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, and 33; 5718 Lots 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, and 56; 5719 Lots 9, 10, 10A, 11, 12, 13, and 14; 5802 Lots 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41,

and 42; 5835 Lots 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 55A, 56, 57, 70, 71, and 72.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Judith A. Baggio
Deputy City Attorney



Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 14, 1991 | January 22, 1991 |
| Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward |
| | Noes: Supervisors Kennedy |
| Absent: Supervisors Alioto Kennedy | Absent: Supervisors Alioto |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

[redacted] JAN 25 1991
Date Approved

Doris M. Ward
ACTING Mayor

File No.
36-90-5

AMENDMENT OF THE WHOLE
as further amended
1/7/91

ORDINANCE NO. 32-91

FILE NO. 81-90-4
(Bernal Heights Special Use District)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING SECTION 242 TO ESTABLISH THE BERNAL HEIGHTS SPECIAL USE DISTRICT AND IMPOSE RESTRICTIONS ON PROPERTY WITHIN THAT DISTRICT, INCLUDING HEIGHT, SET-BACK, REAR YARD, PARKING, CURB CUTS, GARAGE DOOR WIDTH, AND DEMOLITION OF RESIDENTIAL STRUCTURES AND BY ADDING SECTIONS 134, 252.1 AND BY AMENDING SECTIONS 102, 132, 154, 155 and TABLE 151 OF SECTION 151 TO PROVIDE REFERENCE TO SECTION 242 OF THIS CODE; AND ADOPTING FINDINGS.

Note: Additions are <u>underlined</u>. Deletions are in ((double parentheses)). Entire Section 242 is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Section 242 to read as follows:

SEC. 242. BERNAL HEIGHTS SPECIAL USE DISTRICT.

(a). <u>General</u>. A Special Use District entitled the Bernal Heights Special Use District, the boundaries of which are shown on Sectional Map Nos. 7SU, 8SU, and 11SU of the Zoning Map, is hereby established for the purposes set forth below.

(b). <u>Purposes</u>. In order to reflect the special characteristics and hillside topography of an area of the City that has a collection of older buildings situated on lots generally smaller than the lot patterns in other low-density areas of the city, and to encourage development in context and scale with the established character, there shall be a Bernal



Heights Special Use District.

(c). The provisions of this Section 242 shall not apply to building permit applications or amendments thereto, or to conditional use, variance or environmental evaluation applications filed on or before ~~November 8, 1990~~ January 7, 1991 (1/7/91 ep). Such applications shall be governed by the ordinances in effect on ~~November 8, 1990~~ January 7, 1991 (1/7/91 ep), unless the applicant requests in writing that an application be governed by the provisions of this Section 242.

(d). <u>Definitions</u>. For purposes of this Section 242, the following definitions shall apply:

(1) "Abutting Properties" are the properties on either side of the subject property, the properties directly behind and the two on either side of the properties directly behind the subject property, and the property directly across the street from the subject property and one property on each side of these properties.

(2) "Adjacent Building" shall mean a building on a lot adjoining the subject lot along a side lot line. Where the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building." A corner lot shall have only one adjacent building located along its side lot line.

(3) "Usable Floor Area" is the sum of the gross areas of the several floors of a building, measured from the exterior walls or from the center lines of common walls separating two buildings. "Usable Floor Area" shall not include that floor area



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devoted to off-street parking or any space or area which is not readily accessible and which has not more than 5 feet vertical clearance at any point.

(e). Controls. All provisions of the City Planning Code applicable to an RH-1, RH-1(S), RH-2, and RH-3 District shall apply to applicable portions of the Special Use District except as otherwise provided in this Section.

(1) Height Limits. No portion of a dwelling in any portion of this district shall exceed a height of 30 feet except as provided below.

(A) The height of a dwelling on a downslope lot shall not exceed 30 feet above grade, subject to averaging or offset by an equal height reduction. Any portion of a dwelling exceeding a height of 30 feet must be offset by at least an equal amount of dwelling having a height of less than 30 feet, provided that the maximum height above grade at any point cannot exceed 40 feet, and the rearmost 8 feet of length cannot exceed 32 feet above grade.

(B) The height of a dwelling on an upslope lot shall not exceed 30 feet above grade, with no averaging or stepping over the 30 feet limit, and no part of the dwelling, unless otherwise permitted by this section, may be higher than 38 feet above curb level, except if the rear of the lot is 30 feet or more higher than the front grade, the rear half of the dwelling may go up to 43 feet above curb level.

(C) The height of a dwelling in an RH-2 or RH-3 lot may exceed the limits described above based upon the average height of the adjacent buildings.

(D) Except for chimneys, radio and television antennas, excluding parabolic antennas, nothing otherwise permitted by



Section 260(b) of this Code may extend above the additional height limit established in this Code Section by more than 42 inches.

(2) Rear Yards. The requirements applicable to rear yards are as follows:

(A) RH-1 and RH-1(S). For lots which have a depth of 70' or less, the minimum rear yard depth shall be equal to 35 percent of the total depth of the lot on which the building is located. Buildings on lots which have a depth greater than 70' may not be deeper than 45.5 feet measured from the front property line; the remainder of the lot shall be used for rear yard.

(B) RH-2 and RH-3. The minimum rear yard depth shall be equal to 45 percent of the total depth of the lot in which the building is located.

(C) All Lots. The following provisions relating to rear yards shall apply to all lots in the Special Use District:

(i) A building may intrude into the required rear yard up to the extent that an adjacent building intrudes, provided the intrusion is no wider than half of the width of the lot, and 25 percent of the total lot depth is provided as rear yard open space. The intrusion must be placed in a manner that the Zoning Administrator finds will provide optimal light and air to the subject and adjacent properties. The coverage resulting from the intrusion must be off-set by otherwise permitted coverage in the rear of the subject property.

(ii) Any part of a front setback exceeding 5 feet may be applied to the amount required for satisfying the rear yard requirements.

(iii) No part of any building may be within 25 percent or 15 feet, whichever is greater, of the rear property line.

(iv) Those obstructions into rear yards otherwise permitted by Section 136(c)(2),(3), and (25) of this Code shall not be permitted. In addition to the obstructions permitted in Section 136(c), improvements may be constructed underneath a room or deck located in the rear yard area if said room or deck is otherwise permitted pursuant to Section 136(c) and was constructed pursuant to a building permit issued prior to December 11, 1987. In those instances, the Zoning Administrator may place appropriate conditions on the approval of the building permit to protect the light, air and view of the adjacent properties.

(3) Mass Reduction Requirement for RH-1 and RH-1(S) Buildings. After calculation of the maximum permissible height and lot coverage in an RH-1 or RH-1(S) district, a total of 650 square feet of usable floor area must be deleted from the exterior of the building, causing a reduction in square footage as well as building volume. On lots that exceed 100 feet in depth, the mass reduction shall be a minimum of 400 square feet of usable floor area. Any area to be deleted must have a minimum clearance of 3 feet from the side property line. The reduction must be taken from the front, the rear, or the top of the building above grade; however, such reduction along the side of the property line will be allowed under this section so that adjacent properties will benefit from the provision of greater light and air or the reduction of shadows..Where an area to be deleted is along the side property line and is in the form of an

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inner court, the inner court shall have a minimum area of 90 square feet.

(4) Parking. The number of off-street parking spaces required for new construction shall be as follows:

| Usable Floor Area | Parking Spaces |
|---|---|
| -0- to 1300 | 1 |
| 1301 to 2250 | 2 |
| 2251 to 2850 | 3 |
| 2851 to 3850 | 4 |

1 additional parking space is required for each additional 1,000 square feet

If more than one parking space is required, the first off-street parking space must have a minimum area of 160 square feet; second and subsequent spaces may be a compact car space and have a minimum area of 127.5 square feet. In the RH-2 and RH-3 district, the parking requirement is the greater of the number of spaces required by the above table, or one parking space per dwelling unit.

All alterations resulting in an increase in usable floor area shall be considered cumulatively from the effective date of this ordinance

No tandem parking spaces are permitted for the first two required parking spaces for new construction. All other required parking spaces for new construction may be tandem parking spaces.

Tandem parking spaces are permitted for alterations in the RH-1 and RH-1(S) districts, and are not permitted for alterations in the RH-2 and RH-3 districts.

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(A) RH-1 or RH-1(S) District Building Alterations. The following parking requirements shall apply to alterations of existing structures in an RH-1 or RH-1(S) district:

(i) If one or more alterations add 400 square feet or less of usable floor area to an existing building, no additional parking space is required to be added to the existing spaces..

(ii) If one or more alterations add over 400 square feet of usable floor area but do not cause the total usable floor area of the building to exceed 1,650 square feet, no additional parking space is required to be added to the existing spaces. .

(iii) If one or more alterations add over 400 square feet of usable floor area and the total usable floor area of the building is between 1,651 and 2,250 square feet, a total of two parking spaces is required. One or both of these required spaces may be waived by the Zoning Administrator if the Zoning Administrator finds that: (1) the off-street parking space(s) would result in a new curb cut, or the proposed driveway would result in the loss on one public parking space while adding one private space; or (2) the structure has an unaltered historic facade as determined by the Department of City Planning and the owner has conveyed a facade easement to the San Francisco Architectural Heritage Foundation.

(iv) If one or more alterations add over 400 square feet of usable floor area and the total usable floor area is over 2,250 square feet, a total of three parking spaces or more is required, as provided by the above table. One additional parking space is required for each additional 1,000 square feet.

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(B) RH-2 and RH-3 Building Alterations. The following parking requirements shall apply to alterations of existing structures in an RH-2 or RH-3 district:

(i) If one or more alterations add 200 square feet or less of usable floor area, no additional parking space is required.

(ii) If one or more alterations add over 200 square feet of usable floor area, the parking standards for new construction set forth in Section 5 above shall apply to the entire building.

(5) Curb Cuts and Garage Door Width. The maximum width of curb cuts allowed for new construction shall be 10 feet; the maximum width of a garage door opening shall be 12 feet.

(6) Design.

(A) Guidelines. The "1989 Residential Design Guidelines" (published by the Department of City Planning), as amended from time to time, and any other specific plan or plans or portions thereof, adopted and as amended by the City Planning Commission, that may be applicable to the area in which the project is located, such as the Elsie Street Plan and the East Slope Building Guidelines, shall be used as guidelines to review neighborhood compatibility of new construction and alterations.

(B) Procedure. The Director of Planning or a designee shall determine whether the proposed project is compatible with the Guidelines. Written notification of that determination shall be mailed to the applicant, to all owners of abutting properties, and to any neighborhood association or design review board on file with the Department of City Planning requesting notice of

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such determination for projects in the area. Any of the parties so notified may request that the City Planning Commission make the determination of compatibility by filing a written request with the Secretary of the Commission within 10 days of the mailing of the notice. If no request is filed, the Department of City Planning staff may act on the permit application without Commission action. If a request is filed, the Commission may determine, under its own procedures, whether the design is compatible with the Guidelines as required by this Section. If the Commission does not act within 21 days, the Director's decision shall be final, other than pursuant to an appeal of the action on the permit application.

(7) Demolition.

(A) Demolition Generally Prohibited. Other than as specified in this subsection, no demolition permit for structures containing one or more residential units may be approved unless:

(i) The Superintendent of the Bureau of Building Inspection or the Chief of the Bureau of Fire Prevention and Public Safety determines, after consultation to the extent feasible with the Department of City Planning, that an imminent safety hazard exists and the Superintendent determines that demolition of the structure is the only feasible means to secure the public safety; or

(ii) The structure is under an abatement order and the Superintendent of the Bureau of Building Inspection determines, after consultation with the Department of City Planning and the San Francisco Fire Department, that repairs rendering the structure safe and habitable as defined in the San Francisco Housing Code would cost 50 percent or more of the cost to replace the structure pursuant to the standards published



periodically by the Superintendent. An owner's deliberate damage, in the opinion of the Superintendent of the Bureau of Building Inspection, to the property or failure to maintain it shall not be included in the calculation of replacement costs; or

(iii) The Department determines, based on facts presented, that the structure proposed to be demolished retains no substantial remaining value or reasonable use.

(B) Demolition of historic or architecturally significant residential buildings. Unless demolition is approved pursuant to subsections (A)(i) or (A)(iii) above, no demolition permit may be approved for a residential building (1) which is a designated landmark or contributing building in an historic district; or (2) which the Landmarks Preservation Advisory Board determines is qualified to be designated as a landmark or contributing building in an historic district under the standards of Article 10 of this Code; or (3) is recommended by the Department of City Planning for historic designation under Article 10 of this Code.

(C) Replacement Structure Required. Unless demolition is approved pursuant to subsection (A)(i) or (A)(iii) above, no application authorizing the demolition of a residential building within the scope of this section shall be approved until the City has finally approved a building permit for construction of the replacement building which meets the requirements of this ordinance. A building permit is finally approved if the Board of Permit Appeals has taken final action on an appeal of the issuance or denial of the permit or if the permit has been issued and the time for filing an appeal with the Board has lapsed with no appeal filed.

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(i) This section shall not apply to the demolition of a second structure on a single lot that (1) does not exceed 500 square feet, (2) meets the requirements of subsection (A)(ii) above, and (3) is not a historic residential building under subsection (B) above.

Section 2. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Sections 134(a)(3) and 252.1 and by amending Sections 102, 132, 154, 155 and Table 151 of Section 151 as follows:

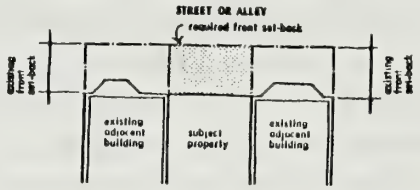
SEC. 102. DEFINITIONS. For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. Additional definitions applicable only to Article 7, Neighborhood Commercial Districts, are set forth in Section 790. Additional definitions applicable only to Article 8, Mixed Use Districts, are set forth in Section 890. Additional definitions applicable only to the Bernal Heights Special Use District are set forth in Section 242. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer, department, board or commission of the City and County of San Francisco, State of California, herein referred to as the City: Assessor, Board of Supervisors, Department of City Planning, Department of Public Works, Director of Planning, City Planning Commission, Zoning Administrator. In each case, the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized

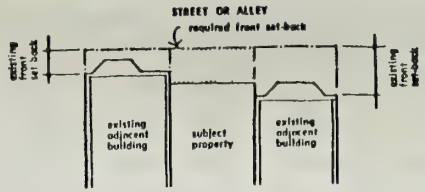


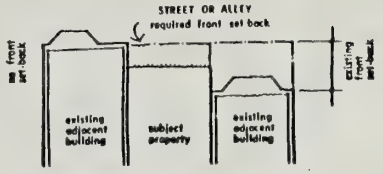
to perform any duty or exercise any power as a representative or agent of that officer or department.

SEC. 132. FRONT SETBACK AREAS, RH AND RM DISTRICTS. The following requirements for minimum front setback areas shall apply to every building in all RH and RM Districts, in order to relate the setbacks provided to the existing front setbacks of adjacent buildings.

(a) Basic Requirement. Where one or both of the building adjacent to the subject property have front setbacks along a street or alley, any building or addition constructed, reconstructed or relocated on the subject property shall be set back to the average of the two adjacent front setbacks. If only one of the adjacent buildings has a front setback, or if there is only one adjacent building, then the required setback for the subject property shall be equal to one-half the front setback of such adjacent building. In any case in which the lot constituting the subject property is separated from the lot containing the nearest building by an undeveloped lot or lots for a distance of 50 feet or less parallel to the street or alley, such nearest building shall be deemed to be an "adjacent building," but a building on a lot so separated for a greater distance shall not be deemed to be an "adjacent building."

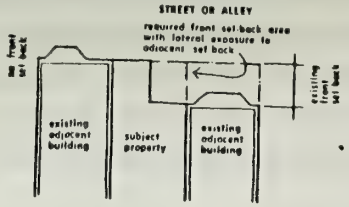





(b) Alternative Method of Averaging. If, under the rules stated in Subsection (a) above, an averaging is required between two adjacent front setbacks, or between one adjacent setback and another adjacent building with no setback, the required setback on the subject property may alternatively be averaged in an irregular manner within the depth between the setbacks of the two adjacent buildings, provided that the area of the resulting setback shall be at least equal to the product of the width of the subject property along the street or alley times the setback depth required by Subsections (a) and (c) of this Section; and provided further, that all portions of the resulting setback area on the subject property shall be directly exposed laterally to the setback area of the adjacent building having the greater setback. In any case in which this alternative method of averaging has been used for the subject property, the extent of the front setback on the subject property for purposes of Subsection (c) below relating to subsequent development on an adjacent site shall be considered to be as required by Subsection (a) above, in the form of a single line parallel to the street or alley.

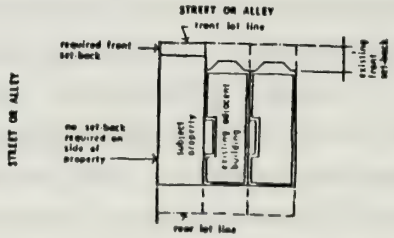




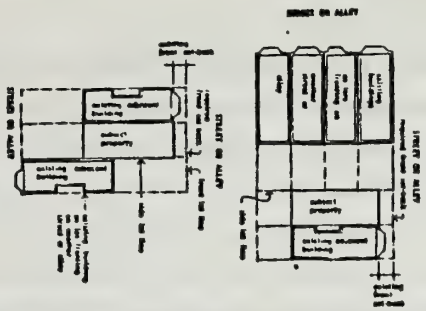

(c) Method of Measurement. The extent of the front setback of each adjacent building shall be taken as the horizontal distance from the property line along the street or alley to the building wall closest to such property line, excluding all projections from such wall, all decks and garage structures and extensions, and all other obstructions.

(d) Applicability to special lot situations.

(1) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, a front setback area shall be required only along the street or alley elected by the owner as the front of the property. Along such street or alley, the required setback for the subject lot shall be equal to 1/2 the front setback of the adjacent building.



(2) Lots Abutting Properties That Front on Another Street or Alley. In the case of any lot that abuts along its side lot line upon a lot that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the required setback for the subject lot shall be equal to the front setback of the adjacent building on its opposite side.



(3) Lots Abutting RC, C, M and P Districts. In the case of any lot that abuts property in an RC, C, M or P District, any property in such district shall be disregarded, and the required setback for the subject lot shall be equal to the front setback of the adjacent building in the RH or RM District.

(e) Maximum Requirements. The maximum required front setback in any of the cases described in this Section 132 shall be 15 feet from the property line along the street or alley, or 15 percent of the average depth of the lot from such street or alley, whichever results in the lesser requirement. The required setback for lots located within the Bernal Heights Special Use District is set forth in Section 242 of this Code.

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(f) Permitted Obstructions. Only those obstructions specified in Section 136 of this Code shall be permitted in a required front setback area, and no other obstruction shall be constructed, placed or maintained within any such area. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such area, except as specified in Section 136.

(g) Landscaping. All front setback areas required by this Section 132 shall be appropriately landscaped, and in every case not less than 20 percent of the required setback area shall be unpaved and devoted to plant material.

(h) Relationship to Legislated Setback Lines. In case of any conflict between the requirements of this Section 132 for front setback areas and a legislated setback line as described in Section 131 of this Code, the more restrictive requirements shall prevail.

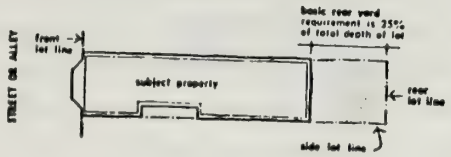
SEC. 134. REAR YARDS, R, NC, C AND M DISTRICTS. The following requirements for rear yards shall apply to every building in an R, NC-1, or NC-2 District or Individual Neighborhood Commercial District where noted in Subsection (a), except (1) those which contain only live/work units, ((and)) (2) to every dwelling in a(n) NC-2, NC-3, Individual Neighborhood Commercial District where noted in Subsection (a), C or M District((.)) and (3) to the Bernal Heights Special Use District to the extent these provisions are inconsistent with the requirements set forth in Section 242 of this Code. Rear yards shall not be required in NC-S Districts. These requirements are intended to assure the protection and continuation of established midblock, landscaped open spaces, and maintenance of a scale of development appropriate to each district, consistent with the location of adjacent buildings.

(a) Basic Requirements. The basic rear yard requirements shall be as follows for the districts indicated:

(1) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, RC-2, RC-3, RC-4, NC, C and M Districts. The minimum rear yard depth shall be equal to 25 percent of the total depth of the lot on which the building is situated, but in no case less than 15 feet.

(A) RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC-1, NC-1, Outer Clement Street, Haight Street, Sacramento Street, 24th Street-Noe Valley, and West Portal Avenue Districts. Rear yards shall be provided at grade level and at each succeeding level or story of the building.

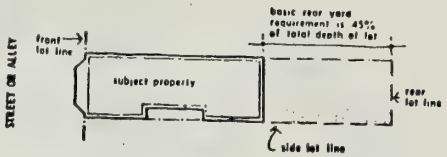
(B) NC-2, Castro Street, Inner Clement Street, Upper Fillmore Street, North Beach, Union Street, Valencia Street, 24th Street-Mission Districts. Rear yards shall be provided at the second story, and at each succeeding story of the building, and at the first story if it contains a dwelling unit.




(C) RC-2, RC-3, RC-4, NC-3, Broadway, Hayes-Gough, Upper Market Street, Polk Street, C and M Districts. Rear yards shall be provided at the lowest story containing a dwelling unit, and at each succeeding story of the building.



(2) RH-2, RH-3, RM-1 and RM-2 Districts. The minimum rear yard depth shall be equal to 45 percent of the total depth of the lot on which the building is situated, except to the extent that a reduction in this requirement is permitted by Subsection (c) below. Rear yards shall be provided at grade level and at each succeeding level or story of the building.

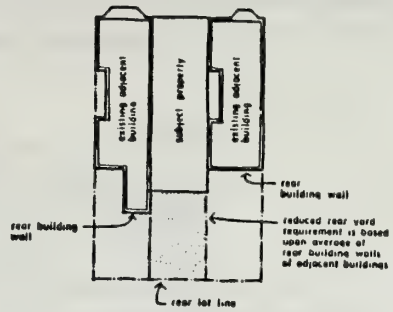


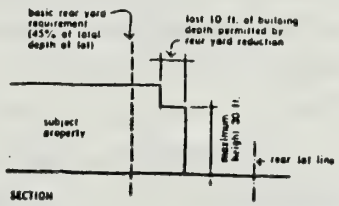

(b) Permitted Obstructions. Only those obstructions specified in Section 136 of this Code shall be permitted in a required rear yard, and no other obstruction shall be constructed, placed or maintained within any such yard. No motor vehicle, trailer, boat or other vehicle shall be parked or stored within any such yard, except as specified in Section 136.

(c) Reduction of Requirements in RH-2, RH-3, RM-1 and RM-2 Districts. The rear yard requirement in RH-2, RH-3, RM-1 and RM-2 Districts, as stated in Paragraph (a)(2) above, shall be reduced in specific situations as described in this Subsection (c), based upon conditions on adjacent lots. Under no circumstances, however, shall the minimum rear yard be thus reduced to less than a depth equal to 25 percent of the total depth of the lot on which the building is situated, or to less than 15 feet, whichever is greater.

(1) General Rule. In such districts, the forward edge of the required rear yard shall be reduced to a line on the subject lot, parallel to the rear lot line of such lot, which is an average between the depths of the rear building walls of the

two adjacent buildings. Provided, that in any case in which a rear yard requirement is thus reduced, the last 10 feet of building depth thus permitted on the subject lot shall be limited to a height of 30 feet, measured as prescribed by Section 260 of this Code, or to such lesser height as may be established by Section 261 of this Code.

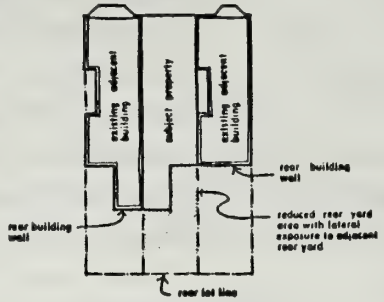



(2) Alternative Method of Averaging. If, under the rule stated in Paragraph (c)(1) above, a reduction in the required rear yard is permitted, the reduction may alternatively be averaged in an irregular manner; provided that the area of the resulting reduction shall be no more than the product of the width of the subject lot along the line established by Paragraph (c)(1) above times the reduction in depth of rear yard permitted by Paragraph (c)(1); and provided further that all portions of the open area on the part of the lot to which the rear yard reduction applies shall be directly exposed laterally to the open



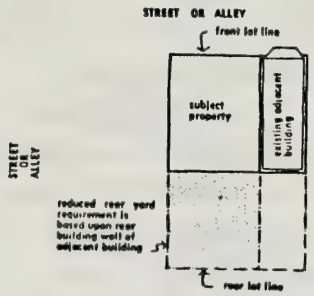
area behind the adjacent building having the lesser depth of its rear building wall.




(3) Method of Measurement. For purposes of this Subsection (c), an "adjacent building" shall mean a building on a lot adjoining the subject lot along a side lot line. In all cases the location of the rear building wall of an adjacent building shall be taken as the line of greatest depth of any portion of the adjacent building which occupies at least 1/2 the width between the side lot lines of the lot on which such adjacent building is located, and which has a height of at least 20 feet above grade, or two stories, whichever is less, excluding all permitted obstructions listed for rear yards in Section 136 of this Code. Where a lot adjoining the subject lot is vacant, or contains no dwelling or group housing structure, or is located in an RH-1(D), RH-1, RH-1(S), RM-3, RM-4, RC, NC, C, M or P District, such adjoining lot shall, for purposes of the calculations in this Subsection (c), be considered to have an adjacent building upon it whose rear building wall is at a depth equal to 75 percent of the total depth of the subject lot.

(4) Applicability to Special Lot Situations. In the following special lot situations, the general rule stated in Paragraph (c)(1) above shall be applied as provided in this Paragraph (c)(4), and the required rear yard shall be reduced if conditions on the adjacent lot or lots so indicate and if all other requirements of this Section 134 are met.

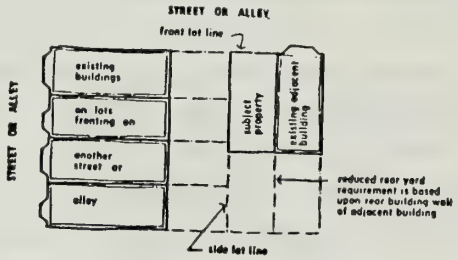
(A) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or a lot at the intersection of a street and an alley or two alleys, the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building.




(B) Lots Abutting Properties with Buildings that Front on Another Street or Alley. In the case of any lot that abuts along one of its side lot lines upon a lot with a building that fronts on another street or alley, the lot on which it so abuts shall be disregarded, and the forward edge of the required rear yard shall be reduced to a line on the subject lot which is at the depth of the rear building wall of the one adjacent building

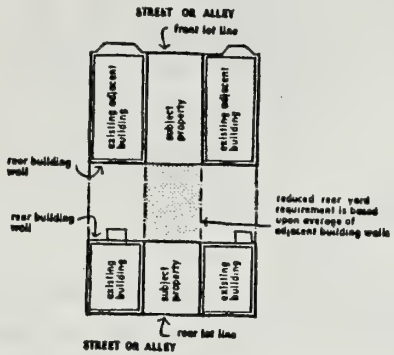


fronting on the same street or alley. In the case of any lot that abuts along both its side lot lines upon lots with buildings that front on another street or alley, both lots on which it so abuts shall be disregarded, and the minimum rear yard depth for the subject lot shall be equal to 25 percent of the total depth of the subject lot, or 15 feet, whichever is greater.




(C) Through Lots Abutting Properties that Contain Two Buildings. Where a lot is a through lot having both its front and its rear lot line along streets, alleys, or a street and an alley, and both adjoining lots are also through lots, each containing two dwellings or group housing structures that front at opposite ends of the lot, the subject through lot may also have two buildings according to such established pattern, each fronting at one end of the lot, provided all the other requirements of this Code are met. In such cases the rear yard required by this Section 134 for the subject lot shall be located in the central portion of the lot, between the two buildings on such lot, and the depth of the rear wall of each building from the street or alley on which it fronts shall be established by the average of the depths of the rear building walls of the

adjacent buildings fronting on that street or alley. In no case, however, shall the total minimum rear yard for the subject lot be thus reduced to less than a depth equal to 25 percent of the total depth of the subject lot, or to less than 15 feet, whichever is greater. Furthermore, in all cases in which this Subparagraph (c)(4)(C) is applied, the requirements of Section 132 of this Code for front setback areas shall be applicable along both street or alley frontages of the subject through lot.




(d) Reduction of Requirements in C-3 Districts. In C-3 Districts, an exception to the rear yard requirements of this Section may be allowed, in accordance with the provisions of Section 309, provided that the building location and configuration assure adequate light and air to windows within the residential units and to the usable open space provided.

(e) Modification of Requirements in NC Districts. The rear yard requirements in NC Districts may be modified or waived in specific situations as described in this Subsection (e).



(1) General. The rear yard requirement in NC Districts may be modified or waived by the Zoning Administrator pursuant to the procedures which are applicable to variances, as set forth in Sections 306.1 through 306.5 and 308.2 if all of the following criteria are met:

(A) Residential uses are included in the new or expanding development and a comparable amount of usable open space is provided elsewhere on the lot or within the development where it is more accessible to the residents of the development; and

(B) The proposed new or expanding structure will not significantly impede the access of light and air to and views from adjacent properties; and

(C) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of adjacent properties.

(2) Corner Lots and Lots at Alley Intersections. On a corner lot as defined by this Code, or on a lot at the intersection of a street and an alley of at least 25 feet in width, the required rear yard may be substituted with an open area equal to 25 percent of the lot area which is located at the same levels as the required rear yard in an interior corner of the lot, an open area between two or more buildings on the lot, or an inner court, as defined by this Code, provided that the Zoning Administrator determines that all of the criteria described below in this Paragraph are met.

(A) Each horizontal dimension of the open area shall be a minimum of 15 feet.

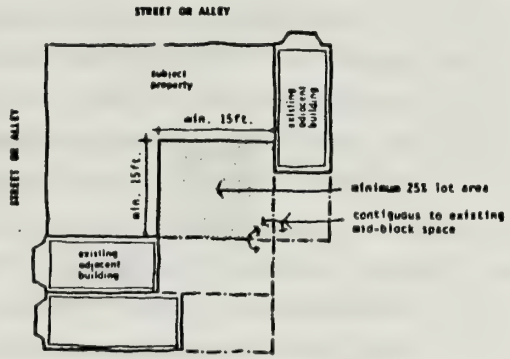
(B) The open area shall be wholly or partially contiguous to the existing midblock open space formed by the rear

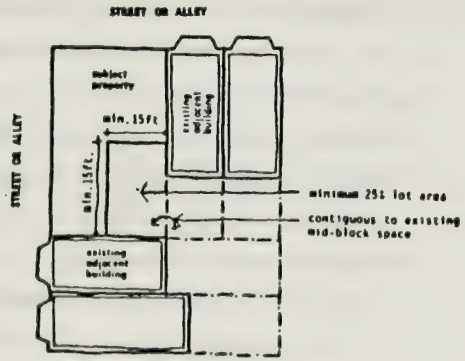
yards of adjacent properties.

(C) The open area will provide for the access to light and air to and views from adjacent properties.

(D) The proposed new or expanding structure will provide for access to light and air from any existing or new residential uses on the subject property.

The provisions of this Paragraph 2 of Subsection (e) shall not preclude such additional conditions as are deemed necessary by the Zoning Administrator to further the purposes of this Section.




(f) Reduction of Requirements in the North of Market Residential Special Use District. The rear yard requirement may



be substituted with an equivalent amount of open space situated anywhere on the site, provided that the Zoning Administrator determines that all of the following criteria are met:

(1) The substituted open space in the proposed new or expanding structure will improve the access of light and air to and views from existing abutting properties; and

(2) The proposed new or expanding structure will not adversely affect the interior block open space formed by the rear yards of existing abutting properties.

This provision shall be administered pursuant to the notice and hearing procedures which are applicable to variances as set forth in Sections 306.1 through 306.5 and 308.2.

SEC. 154. MINIMUM DIMENSIONS FOR REQUIRED OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE SPACES. (a) Parking Spaces.

(1) Every required off-street parking space shall have a minimum area of 160 square feet, except as specified in Paragraph (a)(2) below. Every required space shall be of usable shape. The area of any such space shall be exclusive of driveways, aisles and maneuvering areas. The parking space requirements for the Bernal Heights Special Use District are set forth in Section 242.

(2) In the case of any structure or use for which four or more off-street parking spaces are required, the fourth such space may be a compact car space, and for each two spaces required in excess of four the second such space may be a compact car space. For this purpose every compact car space shall have a minimum area of 127.5 square feet and shall be specifically marked and identified as a compact car space. Special provisions

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relating to the Bernal Heights Special Use District are set forth in Section 242.

(3) Ground floor ingress and egress to any off-street parking spaces provided for a structure or use, and all spaces to be designated as preferential carpool or van pool parking, and their associated driveways, aisles and maneuvering areas, shall maintain a minimum vertical clearance of seven feet.

(b) Freight Loading and Service Vehicle Spaces. Every required off-street freight loading space shall have a minimum length of 35 feet, a minimum width of 12 feet, and a minimum vertical clearance including entry and exit of 14 feet, except as provided below.

(1) Minimum dimensions specified herein shall be exclusive of platform, driveways and maneuvering areas except that minimum vertical clearance must be maintained to accommodate variable truck height due to driveway grade.

(2) The first such space required for any structure or use shall have a minimum width of 10 feet, a minimum length of 25 feet, and a minimum vertical clearance, including entry and exit, of 12 feet.

(3) Each substituted service vehicle space provided under Section 153(a)(6) of this Code shall have a minimum width of eight feet, a minimum length of 20 feet, and a minimum vertical clearance of seven feet.

SEC. 155. GENERAL STANDARDS AS TO LOCATION AND ARRANGEMENT OF OFF-STREET PARKING, FREIGHT LOADING AND SERVICE VEHICLE FACILITIES. Required off-street parking and freight loading facilities shall meet the following standards as to location and arrangement. In addition, facilities which are not required but are actually provided shall meet the following



standards unless such standards are stated to be applicable solely to required facilities. In application of the standards of this Code for off-street parking and loading, reference may be made to provisions of other portions of the Municipal Code concerning off-street parking and loading facilities, and to standards of the bureau of Engineering of the Department of Public Works. Final authority for the application of such standards under this Code, and for adoption of regulations and interpretations in furtherance of the stated provisions of this Code shall, however, rest with the Department of City Planning.

(a) Every required off-street parking or loading space shall be located on the same lot as the use served by it, except as provided in Sections 159, 160 and 161 of this Code.

(b) Every required off-street parking or loading space shall be located in its entirety within the lot lines of private property.

(c) Every off-street parking or loading space shall have adequate means of ingress from and egress to a street or alley. Every required off-street parking or loading space shall be independently accessible, with the exception of a parking space for a minor second dwelling unit in an RH-1(S) District ((.)) , or as otherwise provided by the Bernal Heights Special Use District set forth in Section 242. In C-3 Districts, if it is found, in accordance with the provisions of Section 309, that independently accessible spaces are infeasible due to site constraints, the substitution of attendant parking spaces for independently accessible spaces may be approved. Access to off-street loading spaces shall be from alleys in preference to streets.

In C-3 Districts, where there is a choice, access to

off-street parking and loading spaces shall be from streets and alleys which are not part of the pedestrian network and minor streets rather than transit preferential streets or major arterial streets, all as identified in the Downtown Plan, a component of the Master Plan.

Adequate reservoir space shall be provided on private property for entrance of vehicles to off-street parking and loading spaces, except with respect to spaces independently accessible directly from the street.

(d) All off-street freight loading and service vehicle spaces in the C-3-O, C-3-R and C-3-G Districts shall be completely enclosed and access from a public street or ally shall be provided by means of a private service driveways, which is totally contained within the structure. Such a private service driveway shall include adequate space to maneuver trucks and service vehicles into and out of all provided spaces, and shall be designed so as to facilitate access to the subject property while minimizing interference with street and sidewalk circulation. Any such private service driveway shall be of adequate width to accommodate drive-in movement from the adjacent curb or inside traffic lane but shall in no case exceed 30 feet. Notwithstanding the foregoing, up to four spaces may be allowed, pursuant to the provisions of Section 309, to be individually accessible directly from a street or alley which is primarily used for building service.

(e) In a C-3 District, where site constraints would make a consolidated freight loading and service vehicle facility impractical, service vehicle spaces required by Sections 153(a)(6) and 154(b)(3) of this Code may be located in a parking

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garage for the structure or other location separate from freight loading spaces.

(f) In a C-3 District, whenever off-street freight loading spaces are provided, freight elevators immediately accessible from the loading dock shall be provided to all floors which contain uses that are included in the calculation of required number of freight loading spaces. If freight loading facilities are subterranean, the location and operation of freight elevators shall be designed, where feasible, to discourage use of freight elevators for deliveries from the ground floor. Directories of building tenants shall be provided at all freight elevators. A raised loading dock or receiving area shall be provided with sufficient dimensions to provide for short-term storage of goods. All required freight loading and service vehicle spaces shall be made available only to those vehicles at all times, and provision shall be made to minimize interference between freight loading and service operations, and garbage dumpster operations and storage.

(g) In order to discourage long-term commuter parking, any off-street parking spaces provided for a structure or use other than residential or hotel in a C-3 District, whether classified as an accessory or conditional use, which are otherwise available for use for long-term parking by downtown workers shall maintain a rate or fee structure for their use such that the rate charge for four hours of parking duration is no more than four times the rate charge for the first hour, and the rate charge for eight or more hours of parking duration is no less than 10 times the rate charge for the first hour. Additionally, no discounted parking rate shall be permitted for weekly, monthly or similar time-specific periods.

(h) The internal layout of off-street parking and loading spaces, driveways, aisles and maneuvering areas shall be according to acceptable standards, and all spaces shall be clearly marked.

(i) For each 25 off-street parking spaces provided, one such space shall be designed and designated for handicapped persons.

(j) For each 20 off-street parking spaces provided, one space shall be provided for parking of a bicycle.

(K) Off-street parking and loading facilities shall be arranged so as to prevent encroachments upon sidewalk areas and adjacent properties, in the maneuvering, standing and storage of vehicles, by means of the layout of facilities and by use of bumper or wheel guards or such other devices as are necessary.

(l) Driveways crossing sidewalks shall be no wider than necessary for ingress and egress, and shall be arranged, to the extent practical, so as to minimize the width and frequency of curb cuts, to maximize the number and size of on-street parking spaces available to the public, and to minimize conflicts with pedestrian and transit movements.

(m) Every off-street parking or loading facility shall be suitably graded, surfaced, drained and maintained.

(n) Off-street parking and loading spaces shall not occupy any required open space, except as specified in Section 136 of this Code.

(o) No area credited as all or part of a required off-street parking space shall also be credited as all or part of a required off-street loading space, or used as all or part of an unrequired off-street loading space. No area credited as all or part of a required off-street loading space shall also be



credited as all or part of a required off-street parking space, or used as all or part of an unrequired off-street parking space.

(p) Any off-street freight loading area located within 50 feet of any R District shall be completely enclosed within a building if such freight loading area is used in regular night operation.

SEC. 151. SCHEDULE OF REQUIRED OFF-STREET PARKING SPACES. Off-street parking spaces shall be provided in the minimum quantities specified in the following table, except as otherwise provided in Section 161 of this Code. Where off-street parking is provided which exceeds certain amounts in relation to the quantities specified in this table, as set forth in Section 204.5 of this Code, such parking shall be classified not as accessory parking but as either a principal or a conditional use, depending upon the use provisions applicable to the district in which the parking is located. In considering an application for a conditional use for any such parking, due to the amount being provided, the City Planning Commission shall consider the criteria set forth in Section 157 of this Code.

Table 151

OFF-STREET PARKING SPACES REQUIRED

| Use or Activity | Number of Off-Street Parking Spaces Required |
|---|---|
| Dwelling, except as specified below, and except in the Bernal Heights Special Use District as provided in Section 242 | One for each dwelling unit. |
| Dwelling RC-4 and C-3 Districts, except in the Van Ness Special Use District | One for each four dwelling units. |
| Dwelling, specifically designed for and occupied by senior citizens or physically handicapped persons, as | One-fifth the number of spaces specified above for the district in which the dwelling is located. |

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| defined and regulated by Section 209.1(m) of this Code | |
| Group housing of any kind | One for each three bedrooms or for each six beds, whichever results in the greater requirement, plus one for the manager's dwelling unit if any, with a minimum of two spaces required. |
| Hotel, inn or hostel in NC Districts. | 0.8 for each guest bedroom. |
| Hotel, inn or hostel in districts other than NC | One for each 16 guest bedrooms where the number of guest bedrooms exceeds 23, plus one for the manager's dwelling unit, if any. |
| Motel | One for each guest unit, plus one for the manager's dwelling unit, if any. |
| Mobile home park | One for each vehicle or structure in such park, plus one for the manager's dwelling unit if any. |
| Hospital or other inpatient medical institution. | One for each eight beds excluding bassinets or for each 2,400 square feet of gross floor area devoted to sleeping rooms, whichever results in the greater requirement, provided that these requirements shall not apply if the calculated number of spaces is no more than two. |
| Residential care facility | One for each 10 residents, where the number of residents exceeds nine. |
| Child care facility | One for each 25 children to be accommodated at any one time, where the number of such children exceeds 24. |
| Elementary school | One for each six classrooms. |
| Secondary school | One for each two classrooms. |
| Post-secondary educational institution | One for each two classrooms. |

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| Church or other religious institutions. | One for each 20 seats by which the number of seats in the main auditorium exceeds 200. |
| Theater or auditorium | One for each eight seats up to 1,000 seats where the number of seats exceeds 50 seats, plus one for each 10 seats in excess of 1,000. |
| Stadium or sports arena | One for each 15 seats. |
| Medical or dental office or outpatient clinic | One for each 300 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. |
| Other business office | One for each 500 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. |
| Restaurant, nightclub, pool hall, dancehall, bowling alley or other similar enterprise | One for each 200 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. |
| Retail space devoted to the handling of bulky merchandise such as motor vehicles, machinery or furniture | One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. |
| Greenhouse or plant nursery | One for each 4,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. |
| Other retail space | One for each 500 square feet of occupied floor area up to 20,000 where the occupied floor area exceeds 5,000 square feet, plus one for each 250 square feet of occupied floor area in excess of 20,000. |
| Service, repair or wholesale sales space | One for each 1,000 square feet of occupied floor area, where the occupied floor area exceeds 5,000 square feet. |
| Mortuary | Five. |
| Storage or warehouse space, and space devoted to any use first permitted in an M-2 district | One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 10,000 square feet. |

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| Arts spaces except theater or auditorium spaces | One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet. |
| Other manufacturing and industrial uses | One for each 1,500 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet. |
| Live/work units | One for each 2,000 square feet of occupied floor area, where the occupied floor area exceeds 7,500 square feet, except in RH or RM Districts, within which the requirement shall be one space for each live/work unit. |

SEC. 252.1 SPECIAL HEIGHT LIMITS. Special height limits are provided for the Dolores Height Special Use District, set forth in Section 241, and the Bernal Heights Special Use District, set forth in Section 242 of this Code.

Section 3. The Board finds that this legislation is consistent with the priority policies set forth in City Planning Code §101.1 and adopts and incorporates by reference the findings contained in City Planning Commission Resolution No. 12080.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

11/13/90 35 8135j

SUPERVISOR WALKER and MAHER

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| January 14, 1991 | § | January 22, 1991 |
| Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Britt Gonzalez Hallinan Hsieh Maher Migden Shelley Ward |
| | § | Noes: Supervisors Kennedy |
| Absent: Supervisors Alioto Kennedy | § | Absent: Supervisors Alioto |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 81-90-4

JAN 25 1991
Date Approved

Alvin M. Ward
ACTING Mayor

FILE NO. 45-90-59

ORDINANCE NO. 33-91

RO #90118

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF HEIDI SCHAEFFER AGAINST THE CITY AND COUNTY OF SAN FRANCISCO, ET AL. FOR $8,153.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "EDRA SCHAEFFER and HEIDI SCHAEFFER v. CITY AND COUNTY OF SAN FRANCISCO, et al.", Municipal Court No. 014-284, BY THE PAYMENT OF $8,153.00 TO HEIDI SCHAEFFER.

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

FRED POSTEL
Chief, San Francisco Fire Department

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 31
309773 1450 $8,153.00

NOV 28 1990

APPROVED:
FIRE COMMISSION

SECRETARY

DOCUMENTS DEPT.

FEB 11 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 22, 1991 | January 28, 1991 |
| Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward |
| Absent: Supervisors Alioto Britt Maher | Absent: Supervisors Alioto Gonzalez Kennedy Maher |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No.
45-90-59

FEB 5 1991
Date Approved

Mayor

FILE NO. 45-90-60

ORDINANCE NO. 34-91

RO #90137

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF BING HING KO, et al. AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $11,500.00.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "BING HING KO, et al. vs. CITY AND COUNTY OF SAN FRANCISCO, et al.", Superior Court No. 864-198, by the payment of $11,500.00.

APPROVED AS TO FORM AND RECOMMENDED:

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTMENT

FRANK JORDAN, Chief

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 38
309781 1450 $11,500.00

DEC 0 5 1990

APPROVED:

POLICE COMMISSION

Secretary

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 22, 1991 | January 28, 1991 |
| Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward |
| Absent: Supervisors Alioto Britt Maher | Absent: Supervisors Alioto Gonzalez Kennedy Maher |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-90-60

FEB 5 1991

Date Approved

Mayor

FILE NO. 45-90-61

ORDINANCE NO. 35-91

RO #90133

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF JOMARIE FRANZ AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $40,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "JOMARIE FRANZ v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 918-377, by the payment of $40,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 90
309674 1450 $40,000.00

DEC 0 5 1990

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

RICHARD EVANS, Director

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

DOCUMENTS DEPT.

FEB 1 1 1991

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| Passed for Second Reading | Finally Passed |
|---|---|
| January 22, 1991 | January 28, 1991 |
| Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward |
| Absent: Supervisors Alioto Britt Maher | Absent: Supervisors Alioto Gonzalez Kennedy Maher |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-61

FEB 5 1991
Date Approved

Mayor

FILE NO. 45-90-62

ORDINANCE NO. 36-91

RO #90134

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF N. LEE ORMASA AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $15,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "N. LEE ORMASA v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 901-617, by the payment of $15,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RICHARD J. EVANS
Director, Department of Public Works

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 90
309674 1450 $15,000.00

DEC 0 5 1990

APPROVED:

RUDOLF NOTHENBERG
Chief Administrative Officer

DOCUMENTS DEPT.

FEB 1 1 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 22, 1991 | January 28, 1991 |
| Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward |
| Absent: Supervisors Alioto Britt Maher | Absent: Supervisors Alioto Gonzalez Kennedy Maher |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-62

FEB 5 1991

Date Approved

Mayor

FILE NO. 45-90-63 ORDINANCE NO. 37-91

RO #90140

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF HARTFORD INSURANCE COMPANY, INTERVENOR, IN THE "LEOLA GARDNER v. THE CITY AND COUNTY OF SAN FRANCISCO" for $18,500.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the complaint in intervention brought by Hartford Insurance Company in the case of "LEOLA GARDNER v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 833-652, by the payment of $18,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

POLICE DEPARTMENT

WILLIS CASEY
Chief

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller
01 001 97 09 38
309781 1450 $18,500.00

APPROVED:

SECRETARY
Police Commission

DEC 12 1990

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FEB 11 1991
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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 22, 1991 | January 28, 1991 |
| Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward |
| Absent: Supervisors Alioto Britt Maher | Absent: Supervisors Alioto Gonzalez Kennedy Maher |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-63

FEB 5 1991
Date Approved

Mayor

FILE NO. 101-90-38

ORDINANCE NO. 38-91

RO # 90145 SA #85

(GOVERNMENT FUNDING)

APPROPRIATING $6,376 FOR OTHER FIXED CHARGES (ASSOCIATION OF BAY AREA GOVERNMENTS MEMORANDUM OF UNDERSTANDING), BOARD OF SUPERVISORS FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| Subidiary 000006 | General Reserve | 6,376 | |
| 01-01-00 | Board of Supervisor | | |
| 10-1449 (300012) | Other Fixed Charges | | $6,376 |

APPROVED AS TO FORM:
LOUIS H. RENNE, CITY ATTORNEY

DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

129-MPPPGEN-(1)

DOCUMENTS DEPT.

FEB 11 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| January 22, 1991 | § | January 28, 1991 |
| Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward |
| Absent: Supervisors Alioto Britt Maher | § | Absent: Supervisors Alioto Gonzalez Kennedy Maher |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-38

FEB 5 1991
Date Approved

Mayor

FILE NO. 101-90-39 ORDINANCE NO. 39-91

RO #90146 SA #84

(GOVERNMENT FUNDING)

APPROPRIATING $55,000,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, SAN FRANCISCO UNIFIED SCHOOL DISTRICT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 05-610 | 1988 School Facilities Improvement Bonds | | |
| 55-5500 (051748) | Process - Sale of Bonds | $55,000,000 | |
| 07-20-00 | San Francisco Unified School District | | |
| 20-2030 (307181) | Capital Improvement Project | | |
| Project 001-01 | Miscellaneous Project Service | | $ 1,914,000 |
| 100-01 | School Facilities Improvement | | 53,086,000 |
| | Total | $55,000,000 | $55,000,000 |

(APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey By
CONTROLLER

ac(1035ADM/63)

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FEB 11 1991
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PUBLIC LIBRARY

Board of Supervisors, San Francisco

Passed for Second Reading

January 22, 1991

Ayes: Supervisors Achtenberg Gonzalez Hallinan Hsieh Kennedy Migden Shelley Ward

Absent: Supervisors Alioto Britt Maher

Finally Passed

January 28, 1991

Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward

Absent: Supervisors Alioto Gonzalez Kennedy Maher

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-39

FEB 5 1991
Date Approved

Mayor

FILE NO. 96-90-6 ORDINANCE NO. 40-91

[Sale of Surplus Property]

AUTHORIZING SALE OF SURPLUS CITY-OWNED PROPERTY IDENTIFIED AS LOT 32 IN ASSESSOR'S BLOCK 3592; AND ADOPTING FINDINGS PURSUANT TO CITY PLANNING CODE SECTION 101.1.

Be It Ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the recommendation of the Director of Public Works and the Director of Property, the Board of Supervisors hereby declares that the public interest is best served by the sale of Lot 32 in Assessor's Block 3592 to the Pacific Gas and Electric Company; said real property is depicted on map labelled as Exhibit "A", a copy of which is on file with the Clerk of the Board of Supervisors.

Section 2. Said real property is no longer required for municipal purposes, and the sale of such property via a competitive bid process is impractical as it has no substantial value to any other party than Pacific Gas and Electric Company, the adjacent property owner.

Section 3. The Department of City Planning reported on October 23, 1990 that the sale is in conformity with the Master Plan and consistent with the priority policies of Section 101.1 of the Planning Code.

Section 4. The Board of Supervisors adopts as its own and incorporates by reference herein, as though fully set forth, the findings made by the Department of City Planning that the sale of the subject property is in conformity with the Master Plan and consistent with the priority policies of City Planning Code Section 101.1.

Section 5. Pursuant to Section 7.401 of the City Charter, the Director of Property has determined the market value of said subject property to be $495,000. Pacific Gas and Electric Company has agreed to purchase the subject property for $495,000.

Section 6. The offer of Pacific Gas and Electric Company is hereby accepted and the Mayor and the Clerk of the Board of Supervisors are authorized to execute and the Director of Property deliver a deed conveying the subject property to Pacific Gas and Electric Company.

RECOMMENDED:

Director of Public Works

Director of Property

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By Deputy City Attorney

2391

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**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, [redacted], Kennedy, Maher, [redacted], Walker, Ward.

Noes: Supervisors Hallinan Hongisto Hsieh

Absent: Supervisors Britt Nelder

John L. Taylor Clerk

FEB 7 1991

96-90-6

File No. Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

January 28, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, [redacted], Maher, Migden, Shelley, Ward.

Noes: Supervisors Hallinan Hsieh

Absent Supervisors: Gonzalez Kennedy

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco*

John L. Taylor Clerk

Mayor

1/30/91 - As amended in Committee

FILE NO. 101-90-43

ORDINANCE NO. 41-91

RO #90149 SA #81

(Government Funding)

APPROPRIATING $16,500,000 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS (PROP A CORRECTIONAL FACILITIES IMPROVEMENT BOND) SHERIFF DEPARTMENT FOR FISCAL YEAR 1990-91; PLACING $5,760,120 ON RESERVE.

1/30/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 05-617 | 1990 Correctional Facilities Improvement Bond Fund | | |
| 55-5500 (055202) | Proceeds - Sale of Bonds | $ 16,500,000 | |
| 06-00-00 | Sheriff | | |
| 20-2030 (310268) | Capital Improvement Project | | |
| Project 001-01 | Miscellaneous Project Services | | $ 77,875 |
| 100-01 | New Sheriff's Facility | | 9,482,125 |
| 200-01 | Jail #3 - New Services Building | | 6,940,000 |
| | Total | $ 16,500,000 | $16,500,000 |

Section 2. Funds are placed on reserve as follows: $5,760,120 for Jail #3, New Services Building, to be released by the Finance Committee.

1/30/31 jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 4, 1991 | February 11, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| | Absent: Supervisors Britt |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-43

FEB 14 1991

Date Approved

Mayor

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FEB 26 1991
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As amended in Board 1/28/91

FILE NO. 32-90-4 ORDINANCE NO. 142-91

1/28/91
ejp

(CABLE TELEVISION FRANCHISE REVISIONS)

AMENDING ORDINANCE NO. 105-64, AS AMENDED, BY AMENDING SECTION 1, RELATING TO CABLE TELEVISION FRANCHISE, BY EXTENDING FILING DEADLINE FOR FRANCHISE AMENDMENT RECOMMENDATIONS TO FEBRUARY 1, 1991.

NOTE: Addition or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 1 of Ordinance 105-64 is hereby amended to read as follows:

SECTION 1. That there is hereby created by the City and County of San Francisco (hereinafter called the City), to Television Signal Corporation, a California corporation (hereinafter called Grantee), and its successors and assigns, for a period of twenty-one (21) years from the effective date of this ordinance, the right, power, authority, and privilege to conduct the business of, and to build, construct, equip, own, maintain, and operate in, or on, or under, or over, the present and future streets, alleys, and other public places in the City, wires, lines, poles, arms, cables, appurtenances, fixtures, and other apparatus for the purpose of operating and conducting, a Community Antenna System as defined in Section 19 hereof.

There is hereby granted the further right, power, authority, and privilege to the Grantee to lease, rent, or in any other manner obtain the use of, and use, within the corporate limits of the City, such wires, lines, poles, arms, cables, appurtenances, fixtures, and other apparatus from any and all holders of public permits, public licenses or franchises granted by the City or by any other source and to use such wires, lines, poles, arms, cables, appurtenances, fixtures, and other such apparatus, subject to all the terms and conditions of this franchise, and to the extent that they shall not conflict with this franchise, or any such permit, license, resolutions, and regulations of the City.

There is also granted the right to buy, purchase, lease, erect, equip, maintain, own or operate such plants, machinery, equipment, or buildings as are necessary to maintain and operate such Community Antenna System, and the right to buy, hold, own, or lease any and all estate necessary to conduct such business.

This franchise, and each and every provision thereof, shall also be applicable to any and all facilities installed or operated by Grantee before the effective date of this franchise.

(a). The Board of Supervisors shall establish a Telecommunications Policy Committee (hereinafter the Committee).

The Committee shall consist of no more than nine (9) people and represent cable television subscribers and other public members, the Grantee, representatives of the education community, and agencies of the City.

The Committee shall meet on a monthly basis or as deemed necessary and review the Grantee's service within the community and make recommendations to the Board of Supervisors relative to changes in service.

The Committee will also review specific issues at the direction of the Board of Supervisors.

It is directed to ascertain community needs and concerns relative to CATV by methods including but not limited to the following:

1. polling of subscribers and non-subscribers when the Committee finds that such polls are needed in furtherance of resolving issues and questions of importance; and when the Board of Supervisors funds such polling; and when the information

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likely to be obtained is significant enough to serve the television interests of the City or of the public.

2. consulting with community leaders and representatives.

3. reviewing unresolved complaints as deemed appropriate by the Committee to ascertain whether the complaints raise service policy questions.

4. review the construction plan and the Grantee's compliance with same.

5. analyze the state-of-the-art, including telecommunications construction, reception and programming equipment and resources.

(b). The Committee shall make an annual report to the Board of Supervisors.

At three year intervals after and beginning with December 1, 1981, with the exception of a 1990 extension to February 1, 1991, the Committee shall propose changes in the franchise agreement and shall present its recommendations to the Board of Supervisors to amend the franchise agreement.

Amendments shall reflect service requirement changes based on advances in technology or demonstrated community needs.

They shall be substantive in nature, affecting a significant number of subscribers and shall be within the authority of the City and County of San Francisco.

The Grantee shall be required to conform to these amendments, if adopted, within reasonable time period unless the Grantee is in substantial compliance by alternative means; provided, however, that the time for commencement or completion of any such modification shall be excused by any delay resulting from labor strikes, material shortages, governmental restrictions, fire, acts of God or any other matter beyond the reasonable control of Grantee.



If compliance with the amendments will have a significant negative financial impact upon the Grantee, compliance must commence when commensurate rate revisions are authorized, provided such rates and service modifications are in the best interest of existing subscribers.

If the Board of Supervisors shall make a finding that the franchise amendment was prompted by a situation which was the result of imprudence on the part of Grantee, performance shall be required without a commensurate rate increase relative to the imprudence.

In case of dispute or questions of interpretation of this section, the matter will be decided by arbitration as outlined in Section 17(c).

APPROVED AS TO FORM

LOUISE H. RENNE
City Attorney

By _____
LEONARD SNAIDER
Deputy City Attorney

Board of Supervisors, San Francisco

| | | |
|---|---|---|
| Passed for Second Reading | § | Finally Passed |
| | § | |
| January 28, 1991 | § | February 4, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto | § | Ayes: Supervisors Achtenberg Alioto |
| Britt Hallinan Hsieh Maher Migden | § | Britt Gonzalez Hallinan Hsieh |
| Shelley Ward | § | Kennedy Maher Migden Shelley Ward |
| | § | |
| Absent: Supervisors Gonzalez | § | |
| Kennedy | § | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
32-90-4

FEB 14 1991
Date Approved

Mayor

FILE NO. 65-90-14

ORDINANCE NO. 43-91

APPROVING AMENDMENT TO LEASE L-10892 BETWEEN THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO AND THE CITY AND COUNTY OF SAN FRANCISCO, ACTING BY AND THROUGH THE SAN FRANCISCO PORT COMMISSION.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to Section 7.402-1 of the Charter, the Board of Supervisors hereby approves the amendment to Lease L-10892 between the Redevelopment Agency of the City and County of San Francisco and the City and County of San Francisco, operating by and through the San Francisco Port Commission, a copy of which amendment is contained in Board of Supervisors' file number 65-90-14.

Approved as to form:

LOUISE H. RENNE, City Attorney

By _____
John J. Pizza
Deputy City Attorney

Board of Supervisors, San Francisco

| | |
|---|---|
| Passed for Second Reading | Finally Passed |
| January 28, 1991 | February 4, 1991 |
| Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| Absent: Supervisors Alioto Gonzalez Kennedy Maher | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
65-90-14

FEB 14 1991
Date Approved

_____
Mayor

DOCUMENTS DEPT.

FEB 26 1991

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING SECTION 16.6-43 AND DELETING SECTION 16.6-43.1, TO ADD ORGANIZATIONS TO THE MEMBERSHIP LIST OF THE SAN FRANCISCO PORT COMMISSION.

Note: Additions are underlined; deletions are in brackets; organizations have been rearranged in alphabetical order.

Be it ordained by the People of the City and County of San Francisco.

Section 1. Chapter 16, Article 1 of the San Francisco Administrative Code is hereby amended by deleting Section 16.6-43.1 and by amending Section 16.6-43 thereof, to read as follows:

Section 16.6-43. REPRESENTATION OF CITY AND COUNTY IN CERTAIN ORGANIZATIONS - SAN FRANCISCO PORT COMMISSION.

American Association of Port Authorities.
American Express (corp. card necessary for travel).
American Institute of Architects.
American Institute of Steel Construction.
American Planning Association.
[American Section, International Association of Navigational Congresses.]
American Shippers Association.
American Short Line Railroad Association.
American Society for Testing and Materials.
American Society of Civil Engineers.
American Society of Safety Engineers.
Association of Water Transportation Accountants.
Associations or Bureaus Authorized by or filed for approval with the Federal Maritime Commission.
Australian Chamber of Commerce.
Bay Area Ship Repair Association.
Bay Area Whaleboat Rowing Association.
Bay Planning Coalition.
Building Owners and Managers Association.
California Association of Affirmative Action Officers.
California Association of Harbor Masters.
California Association of Port Authorities.
California Chamber of Commerce.
California Council for International Trade.
California Marine Affairs and Navigation Conference.
California Trucking Association.
Central Valley Transportation Club.
China Trade Council.
City Club.
Commonwealth Club.
Fisherman's Wharf Merchants Association.
Foreign American Chambers of Commerce.
Foreign Chambers of Commerce (for various countries as needed).
Foreign Commerce Club of New York.
Fresno Cotton Exchange.
Fresno Transportation Club.
Golden Gate Ports Association.
Illuminating Engineering Society of North America.
Imported Hardwood Products Association, Inc.
Institute of Real Estate Managers.
International Advertising Association.
International Association of Ports and Harbours.
International Conference of Building Officials.
International Council of Shopping Centers.
International Managers Association of San Francisco.
International Personnel Management Associations (IPMA) (national and local chapters).
International Trade Council.
Japanese Chamber of Commerce of North America.
Korean American Chamber of Commerce.
Marine Exchange of San Francisco Bay Region.
Meat Importers Council of America.
Merchants Exchange Club.
Midwest Foreign Commerce Club.
National Association of Foreign Trade Zones.
National Association of Passenger Vessel Owners.
National Council U.S. - China.
National Defense Transportation Association.
National Fire Protection Association.
National Fisheries Institute.
National Industrial Traffic League.
National Maritime Council.
New Zealand Chamber of Commerce.
No. California Human Resources Council.
No. California Pick Users Group.
Norwegian American Chamber of Commerce.
Oakland Traffic Club.
Oakland World Trade Association.
Oakland World Trade Club of the Oakland Chamber of Commerce.
Ocean Freight Agents of Chicago.
Pacific Coast Advisory Board.
Pacific Coast Association of Port Authorities.
Pacific Coast Coffee Association.
Pacific Transportation Association.
Permanent International Association of Navigation Congresses (PIANC).
Press Club of San Francisco.
Propeller Club of the USA.
Public Relations Round Table of San Francisco.
San Francisco Area World Trade Association of the San Francisco Chamber of Commerce.
San Francisco Bay Area Council.
San Francisco Bay Area Publicity Club.
San Francisco Bay Carloading Conference.
San Francisco Chamber of Commerce.
San Francisco Commercial Club.
San Francisco Freight Forwarders & Customs House Brokers Association.
San Francisco Hispanic Chamber of Commerce.
San Francisco Junior Chamber of Commerce.
San Francisco Planning and Urban Research (SPUR).
San Francisco Propeller Club.
San Francisco Traffic Club.
Special Libraries Association.
Swedish American Chamber of Commerce.
The Waterfront Center.
Trade and Traffic Clubs (for various locals as needed).
Transportation Club of San Francisco.
Transportation Research Forum.
United States - Japan Trade Council.



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United States Rowing Association.
Urban Land Institute.
Western Cotton Shippers Association.
Western States Coalition for Effective U.S. Customs.
Women in Real Estate.
Women in Transportation.
Women's Transportation Seminar.
World Trade Centers Association.
World Trade Club.

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

BY: _____
Deputy City Attorney

RECOMMENDED:

_____
Executive Director
Port Commission

APPROVED:

_____
President, Port Commission

Board of Supervisors, San Francisco

| | |
|---|---|
| Passed for Second Reading | Finally Passed |
| January 28, 1991 | February 4, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| Absent: Supervisors Gonzalez Kennedy | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-90-65

_____
Date Approved

_____
Mayor

FEB 1 4 1991

1/23/91 - As amended in committee

FILE NO. 101-90-40

ORDINANCE NO. 46-91

RO # 90141 SA #69

(GOVERNMENT FUNDING)

APPROPRIATING $8,505 FOR PERMANENT SALARIES - MISCELLANEOUS AND RESCINDING $8,505 FROM PERMANENT SALARIES - MISCELLANEOUS, FOR THE DELETION OF ONE (1) POSITION, PUBLIC HEALTH FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-292 | Tobacco Tax - Prop 99/AB 75 | | |
| 83-01-02 | Public Health - Administration | | |
| Project 007-02 | Health Education | | |
| 01-0010 (734343) | Permanent Salaries - Miscellaneous | $8,505 | $8,505 |

Section 2. Funds are hereby appropriated for one (1) position deleted by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-7) as follows:

Fund: Tobacco Tax Fund

Department: Public Health

| Classification | Rate | Created | Deleted |
|---|---|---|---|
| 2822 L Health Educator | 1634 B 1985 | | 1 |

APPROVED AS TO FORM:
LOUIS H. RENNE, CITY ATTORNEY

Theodore B. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

CIVIL SERVICE COMMISSION

BY: John J. Walsh FK
GENERAL MANAGER, PERSONNEL

129-MPPSPGEN-(4)

Board of Supervisors, San Francisco

Passed for Second Reading
January 28, 1991

Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Maher Migden Shelley Ward

Absent: Supervisors Gonzalez Kennedy

Finally Passed
February 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-40

FEB 14 1991
Date Approved

Mayor

DOCUMENTS DEPT

FEB 26 1991

FILE NO. 102-90-7 ORDINANCE NO. 46-91

PUBLIC EMPLOYMENT SAL.ORD.AMEND. NO. 7

1/23/91 jll

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING ~~THE ADDITION OF TWO POSITIONS AND~~ THE DELETION OF ONE POSITION IN THE DEPARTMENT OF PUBLIC HEALTH, CENTRAL OFFICE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

| (Amendment) | No. Pos. | Class & Item No. | Class & Title | Compensation Schedule |
|---|---|---|---|---|
| | | Dept.: | 85 Public Health Central Office | |
| | | Division: | 01 Public Health Administration | |
| | | Section: | 02 Unassigned Title | |
| | | Program: | 4360 Administration | |
| | | Fund: | 01292 Tobacco Tax Fund Prop 99/AB75 | |
| | | Index: | 734343 Tobacco Tax Prop 99/AB75 Exp. | |
| | | Proj/Phase: | 007/02 HED-Salaries | |
| | | Object: | 001 Permanent Salaries-Miscellaneous | |
| ~~1/23/91 jll~~ ~~+ added~~ | ~~+~~ | ~~2823~~ | ~~L Mental Health Educator.....Z,SC~~ | ~~31654B1985~~ |
| ~~+ added~~ | ~~+~~ | ~~2230~~ | ~~L Physician Specialist.....Z,SC~~ | ~~25718B126~~ |
| 1 abolished | 0 | 2822 | L Health Educator.....Z,SC | 1634B1985 |

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading

January 28, 1991

Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Maher Migden Shelley Ward

Absent: Supervisors Gonzalez Kennedy

Finally Passed

February 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
102-90-7

FEB 14 1991
Date Approved

Mayor

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1/23/91 - As amended in Committee

FILE NO. 101-90-41

ORDINANCE NO. 47-91

RO# 90148 SA# 87

(GOVERNMENT FUNDING)

APPROPRIATING $12,989 FOR SERVICES OF OTHER DEPARTMENTS CONTROLLER - AUDIT SERVICE, BOARD OF SUPERVISORS FOR FISCAL YEAR 1990-91; AND PROVIDING RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | General Reserve | $12,989 | |
| 01-01-00 | Board of Supervisors | | |
| 30-3391 (300012) | Services of Other Departments Controller - Audit Service | | $12,989 |

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

Approved As To FORM:
Louise H. Renne - City Attorney

BY: Theodore P. Lakey
Deputy City Attorney

Funds Available:

Samuel D. Yockey
Controller

279-MPPSPGEN-(5)

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| January 28, 1991 | February 4, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Hallinan Hsieh Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| Absent: Supervisors Gonzalez Kennedy | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-41

FEB 14 1991
Date Approved

Mayor

DOCUMENTS DEPT.

FEB 26 1991

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Amended in Board 2/4/91
1/28/91
AMENDMENT OF THE WHOLE

FILE NO. 65-90-13.1

ORDINANCE NO. 48-91

(Lease of Real Property)

APPROVAL OF A TWO YEAR LEASE WITH EXCELSIOR/BAY AREA PARKING CORPORATION FOR A TWO YEAR LEASE FOR THE OPERATION OF TEMPORARY SURFACE PARKING LOTS ON SEAWALL LOTS CONTROLLED BY THE SAN FRANCISCO PORT COMMISSION

BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1

The Board of Supervisors finds that:

A. Section 3.581 of the City Charter authorizes the Port Commission to enter into contractual agreements for use of properties under its jurisdiction; and

B. Pursuant to Section 7.402-1 of the Charter of the City and County of San Francisco, the Board of Supervisors has the authority to review and approve by ordinance leases entered into by a department, board or commission for a period of time in excess of ten (10) years or having anticipated revenue to the City and County of San Francisco of one million dollars or more; and

C. The Port Commission leases five seawalls as surface parking lots to three different operators and operates another seawall on its own monthly parking. Two other seawall lots can be used for surface parking but currently are vacant; and

D. On December 13, 1989, the Port Commission approved consolidation of these surface parking lots for management and operation under one lease. The consolidation is aimed at developing an interim parking strategy that increases parking revenues, improves parking capacity, and retains maximum flexibility for future development plans; and

E. On May 9, 1990, the Port Commission adopted Resolution No. 90-38, authorizing staff to issue a bid package for a two year lease for surface parking lots on SWL 330, SWL 329, SWL 327, a portion of SWL 348, a portion of the Beltline Railroad right-of-way adjacent to SWL 324, SWL 323, SWL 321 and a portion of SWL 322.1, as described in the attached lease.

F. On June 25, 1990, the Port received seven responses to its competitive bid package which required the Port to enter into a lease with the responsible and responsive bidder offering the highest monthly rent for the parking operations; and

G. The bidder offering the highest monthly rent was Excelsior/BAPC, a joint venture between Excelsior Parking and the Bay Area Parking Company. Excelsior/BAPC'S bid exceeded the second highest bid by more than $18,500 per month. Bay Area Parking Company is a minority-owned business as certified by the San Francisco Human Rights Commission.

H. On December 12, 1990, the Port Commission approved Resolution 90-109, awarding a two year lease to Excelsior Parking/BAPC for all lots except for SWL 348 which the Port will continue operating to accommodate the anticipated need for parking relocation with the demolition of the Embarcadero Freeway; and



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I. Under the terms of the lease, Excelsior/BAPC will pay an average rent of $88,757.00 per month over the term of the lease, but actual payments will be $79,714.01 per month for the first three months and $90,182.38 per month for the remainder of the term in order to lower expenses during the construction of the parking lots on SWL 329 and 330. The anticipated revenue under this lease represents an increase of more than $380,000 in annual revenue from the seven lots during Fiscal Year 1989/1990.

J. The Board concurs with the findings of the Department of City Planning that the lease use is consistent with the Master Plan, including the Priority Policies.

2/4/91 K. Prior to the execution of the lease between the Executive Director of the Port and the Excelsior/BAPC, the Executive Director shall receive written assurances from Excelsior/BAPC that a copy of their payroll will be submitted within 30 days of commencing operations to the Controller and thereafter on an annual basis for

ejp certification of payment of prevailing wages.

Section 2

NOW THEREFORE BE IT ORDAINED That the Board of Supervisors hereby approves the lease with Excelsior/BAPC, a copy of which is on file with the Clerk of the Board and hereby authorizes the Executive Director of the Port to execute the same on behalf of the Port in substantially the form attached hereto.

APPROVED AS TO FORM
LOUISE RENNE
CITY ATTORNEY

By: Theodore R. Lakey

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 4, 1991 | § | February 11, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| | § | Absent: Supervisors Britt |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
65-90-13.1

FEB 20 1991
Date Approved

Mayor

FILE NO. 47-91-1 ORDINANCE NO. 49-91

Rol 90170

(Parking Garage Lease - Amendment and Sublease)

CONSENTING TO SUBLEASING OF A PORTION OF ST. MARY'S SQUARE PARKING GARAGE; APPROVING AND AUTHORIZING EXECUTION OF FIFTH AMENDMENT OF ST. MARY'S SQUARE PARKING GARAGE LEASE

Be it ordained by the people of the City and County of San Francisco:

Section 1. Metropolitan Parking Corporation, lessee of the St. Mary's Square Garage, desires to sublease a portion of the leased premises to SCV Holdings Corporation under the terms and provisions set forth in the ST. MARY'S SQUARE GARAGE COMMERCIAL SUBLEASE SUBTENANT SPACE ("the Sublease") a copy of which is on file with the Clerk of the Board of Supervisors. The Sublease has been reviewed and considered by the Board which hereby consents to the proposed subleasing by Metropolitan Parking Corporation to SCV Holdings Corporation of a portion of the St. Mary's Parking Garage premises on the terms set forth in the said Sublease. The form of AGREEMENT AND CONSENT TO SUBLEASE, a copy of which is on file with the Clerk of the Board of Supervisors, which confirms consent by the City to the proposed subleasing, has been reviewed and considered by this Board and is approved. The Mayor is hereby authorized to execute the AGREEMENT AND CONSENT TO SUBLEASE in the form hereby approved and the Clerk is directed to affix the seal of the City thereon and to attest thereto.

Section 2. The FIFTH AMENDMENT OF THE ST. MARY'S SQUARE PARKING GARAGE LEASE, a copy of which is on file with the Clerk of the Board of Supervisors, which amends the lease of the St. Mary's Square Garage to provide that, for calculation of percentage rent, lessee's "gross revenue" shall include, among other things, rents received by lessee under any sublease and to also provide that drop-off and pick-up of laundry and dry cleaning shall be permitted uses of the premises, has been reviewed and considered by this Board and is approved. The Mayor is hereby authorized to execute the FIFTH AMENDMENT OF THE ST. MARY'S SQUARE PARKING GARAGE LEASE in the form hereby approved and the Clerk is directed to affix the seal of the City thereon and to attest thereto.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Julian E. Gultgens
Deputy City Attorney

RECOMMENDED:

Director of Property

Director of the Parking Authority

0727w



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Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| | § | |
| February 4, 1991 | § | February 11, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto | § | Ayes: Supervisors Achtenberg Alioto |
| Britt Gonzalez Hallinan Hsieh | § | Gonzalez Hallinan Hsieh Kennedy |
| Kennedy Maher Migden Shelley Ward | § | Maher Migden Shelley Ward |
| | § | |
| | § | Absent: Supervisors Britt |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
47-91-1

FEB 20 1991
Date Approved

Mayor

1/30/91 - As amended in Committee

FILE NO. 101-90-45

ORDINANCE NO. 50-91

RO #90153 SA #35

(GOVERNMENT FUNDING)

APPROPRIATING $52,149 FOR PERMANENT SALARIES AND RELATED MANDATORY FRINGE BENEFITS, FOR THE CREATION OF ONE (1) POSITION, MEDICAL EXAMINER'S OFFICE FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 02-463 | Special Revenue Fund Group | | |
| G.L. 301 (006544) | Unreserved Fund Balance | | |
| Project 003-01 | SB 1127 Laboratory Costs | $ 52,149 | |
| 49-4900 (908830) | Revenue Transfer Out to #01-001 General Fund | | |
| Project 003-02 | Revenue Transfer Out to General Fund - Coroner | | $ 52,149 |
| 01-001 | General Fund | | |
| 74-00-00 | Medical Examiner | | |
| 99-9900 (228411) | Revenue Transfer In From #02-463 Special Revenue Fund | $ 52,149 | |
| 01-0010 (424531) | Permanent Salaries | | $ 41,288 |
| 04-0600 | Retirement | | 6,193 |
| 04-0606 | Social Security | | 3,159 |
| 04-0610 | Health Service | | 1,467 |
| 04-0620 | Unemployment Insurance | | 42 |
| | Total | $ 52,149 | $ 52,149 |

//////////
//////////

Section 2. Funds are hereby appropriated for one (1) position created by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-8 ) as follows:

Fund: General Fund

Department: Medical Examiner

| Classification | Rate | Created |
|---|---|---|
| 2456 L ~~2456~~ Asst. Forensic Toxicologist I | $1513 B 1835 | 1 |

1/30/91
jll

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

CIVIL SERVICE COMMISSION:

BY: John J. Walsh
GENERAL MANAGER, PERSONNEL

ac(1035ADM/66-67)

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Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| | § | |
| February 4, 1991 | § | February 11, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto | § | Ayes: Supervisors Achtenberg Alioto |
| Britt Gonzalez Hallinan Hsieh | § | Gonzalez Hallinan Hsieh Kennedy |
| Kennedy Maher Migden Shelley Ward | § | Maher Migden Shelley Ward |
| | § | |
| | § | Absent: Supervisors Britt |

I hereby certify that the foregoing ordinance
was finally passed by the Board of Supervisors
of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-45

FEB 20 1991
Date Approved

Mayor

1/30/91 - As amended in Committee

FILE NO. 102-90-8
PUBLIC EMPLOYMENT

ORDINANCE NO. 51-91
SAL.ORD.AMEND.NO. 9

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) REFLECTING THE ADDITION OF ONE NEW POSITION AT THE MEDICAL EXAMINER/CORONER.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated section and items of Ordinance No.288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

| (Amendment) | No. Pos. | Class & Item No. | Class Title | Compensation Schedule |
|---|---|---|---|---|
| | Department: | | 74 Medical Examiner/Coroner | |
| | Division: | | 00 Medical Examiner/Coroner | |
| | Section: | | 00 Medical Examiner/Coroner | |
| | Program: | | 7103 Coroner | |
| | Fund: | | 01001 General Fund | |
| | Index: | | 424531 Coroner Admin./G.F. | |
| | Proj/Phase: | | 000/00 Unassigned Title | |
| | Object: | | 001 Permanent Salaries-Miscellaneous | |
| 1 added | 1 | 2456 L ~~2456~~ | Assistant Forensic Toxicologist I.....Z,SC | $1513-1835 |

/30/91
jll

APPROVED AS TO CLASSIFICATION:
CIVIL SERVICE COMMISSION

John J. Walsh
GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

By: Theodore R. Lakey
DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 4, 1991 | § | February 11, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| | § | Absent: Supervisors Britt |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-90-8

FEB 20 1991
Date Approved

Mayor

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FILE NO. 101-90-48

ORDINANCE NO. 52-91

RO #90159 SA #22

(GOVERNMENT FUNDING)

APPROPRIATING $28,800 FOR PROPERTY ACQUISITION (PURCHASE AIR RIGHTS), REAL ESTATE FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| Subsidiary 000006 | General Reserve | $ 28,800 | |
| 71-20-00 | Real Estate | | |
| 22-2810 (421271) | Property Acquisition | | $ 28,800 |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1035ADM69)

Board of Supervisors, San Francisco

Passed for Second Reading

February 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

February 11, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-48

FEB 20 1991
Date Approved

Mayor

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1/30/91 - As amended in Committee

FILE NO. 101-90-49

ORDINANCE NO. 53-91

RO #90160 SA #92

(GOVERNMENT FUNDING)

1/30/91 jll APPROPRIATING ~~$7,277~~ $6,976 FOR SERVICES OF OTHER DEPARTMENTS-CENTRAL SHOP, DISTRICT ATTORNEY FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| 1/30/91 jll Subsidiary 000006 | General Reserve | $6,976 ~~$7,277~~ | |
| 04-01-00 | District Attorney | | |
| 1/30/91 jll 30-3160 (303271) | Services of other Departments-Central Shop | | $6,976 ~~$7,277~~ |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1035ADM70)

Board of Supervisors, San Francisco

Passed for Second Reading

February 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

February 11, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-49

FEB 20 1991
Date Approved

Mayor

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1/30/91 - As amended in Committee

FILE NO. 101-90-50

ORDINANCE NO. 54-91

RO #90161 SA #96

(GOVERNMENT FUNDING)

1/30/91 jll APPROPRIATING ~~$1,000~~ $778 FOR SERVICES OF OTHER DEPARTMENTS-CENTRAL SHOP, MEDICAL EXAMINER FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| 1/30/91 jll Subsidiary 000006 | General Reserve | $ 778 ~~$ 1,000~~ | |
| 74-00-00 | Medical Examiner | | |
| 1/30/91 jll 30-3160 (424531) | Services of other Departments-Central Shop | | $ 778 ~~$ 1,000~~ |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1035ADM71)

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 4, 1991 | February 11, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| | Absent: Supervisors Britt |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-50

FEB 20 1991
Date Approved

Mayor

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FILE NO. 101-90-51 ORDINANCE NO. 55-91

RO #90162 SA #97

(GOVERNMENT FUNDING)

APPROPRIATING $310 FOR SERVICES OF OTHER DEPARTMENTS - CENTRAL SHOP, DEPARTMENT OF AGRICULTURE FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| 60-6116 (041087) | Unclaimed Gas Tax - Agricultural | $ 310 | |
| 72-01-00 | Agriculture/Weights and Measure | | |
| 30-3160 (422014) | Services of other Departments - Central Shop | | $ 310 |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1035ADM73)

Board of Supervisors, San Francisco

Passed for Second Reading

February 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

February 11, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 101-90-51

FEB 20 1991
Date Approved

Mayor

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Amended

1/30/91 - As amended in Committee

FILE NO. 101-90-52

ORDINANCE NO. 56-91

RO #90163 SA #99

(GOVERNMENT FUNDING)

1/30/91 jll APPROPRIATING ~~$384,000~~ $130,175 FOR SERVICES OF OTHER DEPARTMENTS - CENTRAL SHOP, POLICE DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| 1/30/91 jll Subsidiary 000006 | General Reserve | $130,175 ~~$384,000~~ | |
| 38-04-27 | Police - Vehicle Fleet | | |
| 1/30/91 jll 30-3160 (581066) | Services of other Departments - Central Shop | | $130,175 ~~$384,000~~ |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

ac(1035ADM74)

Board of Supervisors, San Francisco

Passed for Second Reading
February 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed
February 11, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 101-90-52

FEB 20 1991
Date Approved

Mayor

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FILE NO. 101-90-53

ORDINANCE NO. 57-91

RO #90164 SA #57

(Government Funding)

APPROPRIATING $300,572 FOR PROGRAM PROJECT BUDGET (HARDSHIP LOANS AND ADMINISTRATIVE COSTS), PUBLIC WORKS FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 02-501 | Code Enforcement & Rehabilitation Fund | | |
| 90-03-00 | Public Works - Building Inspection | | |
| G.L.495 (004366) | Commitment from Fund Balance | $ 92,258 | |
| 60-6021 (052902) | Substandard Housing Revenue | 208,314 | |
| Project 004-01 | Hardship Loans | | |
| 20-2010 (774133) | Program Project Budget | | $ 258,887 |
| Project 004-02 | Hardship Loans - Administrative Costs | | |
| 20-2010 (774133) | Program Project Budget | | 41,685 |
| | Total | $ 300,572 | $ 300,572 |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Yates
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading

February 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

February 11, 1991

Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Britt

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
101-90-53

FEB 20 1991
Date Approved

Mayor

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(1991 Project Lease)

APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A 1991 PROJECT LEASE, APPROVING AND AUTHORIZING THE EXECUTION AND DELIVERY OF A REIMBURSEMENT AGREEMENT, APPROVING THE ISSUANCE OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO REFUNDING LEASE REVENUE BONDS, SERIES 1991 (GEORGE R. MOSCONE CONVENTION CENTER); APPROVING THE OFFICIAL STATEMENT RELATING THERETO; AND AUTHORIZING AND RATIFYING THE EXECUTION AND DELIVERY OF DOCUMENTS REASONABLY NECESSARY FOR THE ISSUANCE, SALE AND DELIVERY OF SUCH BONDS, ALL IN CONNECTION WITH A REFUNDING OF THE REDEVELOPMENT AGENCY OF THE CITY AND COUNTY OF SAN FRANCISCO LEASE REVENUE BONDS, SERIES 1979 (GEORGE R. MOSCONE CONVENTION CENTER).

WHEREAS, The City and County of San Francisco (the "City") has a need for and desires to enter into a lease (the "1991 Project Lease") with the Redevelopment Agency of the City and County of San Francisco (the "Agency") of a portion of the George R. Moscone Convention Center for the purpose of refinancing the Agency's Lease Revenue Bonds, Series 1979 (George R. Moscone Convention Center) through the issuance by the Agency of its Refunding Lease Revenue Bonds, Series 1991 (George R. Moscone Convention Center) (the "Bonds"); and

WHEREAS, To provide additional security for, and to enhance the marketability of, the Bonds, the City and the Agency will enter into a reimbursement agreement (the "Reimbursement Agreement") with The Mitsubishi Bank, Limited, acting through its Los Angeles Branch (the "Bank"), which Reimbursement Agreement provides for the issuance by the Bank of a letter of credit securing the Bonds; and

///

///

///



WHEREAS, The execution and delivery of the 1991 Project Lease and issuance of the Bonds will cause the termination of the Project Lease, dated as of April 1, 1979, by and between the Agency and the City;

NOW, THEREFORE, BE IT ORDAINED BY THE PEOPLE OF THE CITY AND COUNTY OF SAN FRANCISCO:

Section 1. In accordance with the recommendation of the Chief Administrative Officer, the form of 1991 Project Lease presented to this Board of Supervisors, copies of which are on file with the Clerk of the Board of Supervisors, is hereby approved. The Mayor is hereby authorized to execute and deliver, and the Clerk is hereby directed to affix the seal of the City and to attest, the 1991 Project Lease in substantially the form hereby approved or with such changes made pursuant to Section 2.

Section 2. The Mayor, upon consultation with the City Attorney, is hereby authorized to make any changes to the 1991 Project Lease that hereafter become necessary in the interests of the City, which changes (a) do not materially affect the substance, or materially increase the obligations, of the City, including, without limitation, alteration of Exhibit A of said 1991 Project Lease to conform with any title insurance requirements, or (b) do not result in annual Base Rental (as such term is defined in the 1991 Project Lease) in excess of nine million five hundred thousand dollars ($9,500,000), do not result in a true interest cost on the Bonds in excess of seven percent (7.00%), or result in a Termination Date (as such term is defined in the 1991 Project Lease) later than October 1, 2003, with approval of such changes to be conclusively evidenced by execution of the 1991 Project Lease by the Mayor. The delegation to the Mayor to execute the 1991 Project Lease shall terminate by December 31, 1995.

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Section 3. In accordance with the recommendation of the Chief Administrative Officer, the form of Reimbursement Agreement presented to this Board of Supervisors, copies of which are on file with the Clerk of the Board of Supervisors, is hereby approved. The Mayor is hereby authorized to execute and deliver, and the Clerk is hereby directed to affix the seal of the City and to attest, the Reimbursement Agreement in substantially the form hereby approved or with such changes made pursuant to Section 4.

Section 4. The Mayor, upon consultation with the City Attorney, is hereby authorized to make any changes to the Reimbursement Agreement that hereafter become necessary in the interests of the City, which changes do not materially affect the substance, or materially affect the obligations, of the City, with approval of such changes to be conclusively evidenced by execution of the Reimbursement Agreement by the Mayor.

Section 5. The form of proposed Official Statement describing the Redevelopment Agency of the City and County of San Francisco Refunding Lease Revenue Bonds, Series 1991 (George R. Moscone Convention Center) is hereby approved as the Official Statement describing the Series 1991 Bonds, which such additions and corrections as made be determined to be necessary or desirable by the City Attorney of the City.

Section 6. The issuance of not to exceed seventy million dollars ($70,000,000) principal amount of the Redevelopment Agency of the City and County of San Francisco Refunding Lease Revenue Bonds, Series 1991 (George R. Moscone Convention Center) is hereby approved.

Section 7. The Mayor, Chief Administrative Officer, Clerk of the Board of Supervisors, City Attorney, City Controller, Director of Public Works, Director of Property and all other officers of the



City are each hereby authorized and directed to take any and all steps and to issue and deliver any and all certificates, requisitions, agreements, notices, consents, opinions and other documents, which they or any of them might deem necessary or appropriate in order to consummate the lawful issuance, sale and delivery of the Bonds.

Section 8. All actions authorized and directed by this ordinance and heretofore taken are hereby ratified, approved and confirmed by this Board of Supervisors.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Robert A. Kneeley
Deputy City Attorney

RECOMMENDED:

RUDOLF NOTHENBERG
Chief Administrative Officer

Board of Supervisors, San Francisco

| | | |
|---|---|---|
| Passed for Second Reading | § | Finally Passed |
| | § | |
| February 11, 1991 | § | February 19, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto | § | Ayes: Supervisors Achtenberg Alioto |
| Britt Gonzalez Hallinan Hsieh | § | Britt Gonzalez Hallinan Hsieh |
| Kennedy Maher Migden Shelley Ward | § | Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
161-91-1

FEB 21 1991
Date Approved

Mayor

As amended in Board 2/19/91

FILE NO. 97-90-64 ORDINANCE NO. 59-91

(Amendments to Chapter 56 of the Administrative Code)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY AMENDING CHAPTER 56 THERETO INCLUDING AMENDMENTS TO SECTIONS 56.8, 56.14, 56.15, 56.16 AND 56.17 CLARIFYING THE NOTICE PROVISIONS, CONFORMING TO THE MISSION BAY DEVELOPMENT AGREEMENT, AND PERMITTING THE BOARD TO REVIEW A DECISION TO ISSUE A CERTIFICATE OF COMPLIANCE.

2/19/91
ep

Note: Additions are underlined; deletions are shown by ((double parenthesis)).

Be it ordained by the People of the City and County of San Francisco:

Sec. 1. The San Francisco Administrative Code is hereby amended by amending Chapter 56, Sections 56.8, 56.14, 56.15, 56.16, and 56.17 to read as follows:

Sec. 56.8. Notice.

The Director shall give notice of intention to consider adoption, amendment, modification, or termination of a development agreement for each public hearing required to be held by the Commission under this Chapter. The Clerk of the Board of Supervisors shall give such notice for each public hearing required to be held by the Board of Supervisors. Such notices shall be in addition to any other notice as may be required by law for other actions to be considered concurrently with the development agreement.

(a) Form of Notice.

(1) The time and place of the hearing;

(2) A general summary of the terms of the proposed development agreement or amendment to be considered including, a general description of the area affected, and the public benefits to be provided; and

(3) Other information which the Director, or Clerk of the Board of Supervisors, considers necessary or desirable.

(b) Time and Manner of Notice.

(1) Publication and Mailing. Notice of hearing shall be provided in the same manner as that required in City Planning Code Section 306.3 for amendments to that Code which would reclassify land; where mailed notice is otherwise required by law for other actions to be considered concurrently with the development agreement, notice of a public hearing before the Commission on the development agreement shall be included on the next Commission calendar to be mailed following the date of publication of notice in the official newspaper.

(2) Notice to Local Agencies. Notice of the hearing shall also be mailed at least ten (10) days prior to the hearing to any local public agency expected to provide water, transit, sewage, streets, schools, or other essential facilities or services to the project, whose ability to provide those facilities and services may be significantly affected by the development agreement.

(c) Failure to Receive Notice. The failure of any person to receive notice required by law does not affect the authority of the City and County of San Francisco to enter into a development agreement.

Sec. 56.14. Decision by Board of Supervisors.

(a) Action by Board of Supervisors. The Board of Supervisors shall hold a public hearing on the proposed development agreement approved by the Commission. After the Board of Supervisors completes its public hearing, it may approve or disapprove the proposed development agreement recommended by



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the Commission. If the Commission disapproves the proposed development agreement, that decision shall be final unless the applicant/developer appeals the Commission's determination to the Board of Supervisors. The applicant/developer may appeal by filing a letter with the Clerk of the Board of Supervisors within ten (10) days following the Commission's disapproval of the proposed development agreement. The procedures for the Board's hearing and decision shall be the same as those set forth in City Planning Code Sections 308.1(c) and 308.1(d) with respect to an appeal of a Commission disapproval of a City Planning Code amendment initiated by application of one or more interested property owners.

(b) Material Modification of the Commission's Recommended Development Agreement. The Board of Supervisors may adopt a motion proposing a material modification to a development agreement recommended by the Commission, as defined in Section 56.3 herein. In such event, the material modification must be referred back to the Commission for report and recommendation pursuant to the provisions of subdivision (c) below. However, if the Commission previously considered and specifically rejected the proposed material modification, then such modification need not be referred back to the Commission. The Board of Supervisors may adopt any minor modification to the proposed development agreement recommended ((approved)) by the Commission which it determines appropriate without referring the proposal back to the Commission.

(c) Consideration of Material Modification By the Commission. The Commission shall hold a public hearing and render a decision on any proposed material modification forwarded to the Commission by motion of the Board within ninety (90) days from the date of referral of the proposed modification by the Board to the Commission; provided, however, if the Commission has not acted upon and returned the proposed material modification within such ninety (90) day period, the proposal shall be deemed disapproved by the Commission unless the Board, by resolution, extends the prescribed time within which the Commission is to render its decision.

(d) Effect of Commission Action on Proposed Material Modification. The Board of Supervisors shall hold a public hearing to consider the Commission's action on the proposed material modification. If the Commission approves the Board's proposed material modification, the Board may adopt the modification to the agreement by majority vote. If the Commission disapproves the Board's proposed material modification, or has previously specifically rejected the proposed material modification, then the Board may adopt the material modification to the development agreement by a majority vote, unless said modification would reclassify property or would establish, abolish, or modify a setback line, in which case the modification may be adopted by the Board only by a vote of not less than two-thirds of all of the members of said Board.

(e) Consistency with General and Specific Plans. The Board of Supervisors may not approve the development agreement unless it receives the Commission's determination that the agreement is consistent with the ((general)) Master ((p))Plan, any applicable area or specific plan and the Priority Policies enumerated in City Planning Section 101.1.

(f) Approval of Development Agreement. If the Board of Supervisors approves the development agreement, it shall do so by the adoption of an ordinance. The Board of Supervisors may not

vote on the development agreement ordinance on second reading unless the final version of the development agreement ordinance is available for public review at least two working days prior to the second reading. The development agreement shall take effect upon its execution by all parties following the effective date of the ordinance.

Sec. 56.15. Amendment and ((Cancellation)) Termination of an Executed Development Agreement by Mutual Consent.

(a) The development agreement may further define the extent to which changes in the project will require an amendment to the development agreement.

(b) Either the applicant/developer or the City and County may propose an amendment to, or cancellation in whole or in part of, any development agreement. Any amendment or cancellation shall be by mutual consent of the parties, except as otherwise provided in the development agreement or in Section 56.16.

(c) The procedure for proposing and adopting an amendment which constitutes (1) a material modification, (2) the ((cancelling)) termination in whole or in part of the development agreement, or (3) a minor modification which the Commission or Board has requested to review pursuant to subsection (d) below, shall be the same as the procedure for entering into an agreement in the first instance, including, but not limited to, the procedures described in Section 56.4, above.

(d) Any proposed amendment or modification to the development agreement which would constitute a minor modification shall not require a noticed public hearing before the parties may execute an amendment to the agreement. The Director may commit to a minor modification on behalf of the City if the following conditions are satisfied;

(1) The Director has reached agreement with the other party or parties to the development agreement regarding the modification;

(2) The Director has: (i) notified the Commission and the Board; (ii) caused notice of the amendment to be published in the official newspaper and included on the Commission calendar; (iii) caused notice to be mailed to the parties to a collateral agreement if specific terms or conditions of said collateral agreement were incorporated into the development agreement and said terms or conditions would be modified by said minor modification; and (iv) caused notice to be mailed to persons who request to be so notified; and

(3) No member of either the Board or Commission has requested an opportunity to review and consider the minor modification within fourteen days following receipt of the Director's notice. Upon expiration of the fourteen day period, in the event that neither entity requests a hearing, the decision of the Director shall be final.

Sec. 56.16. Recordation of Development Agreements Amendment or ((Cancellation)) Termination.

(a) Within ten (10) days after the execution of the development agreement, or any amendments thereto, the Clerk of the Board of Supervisors shall have the agreement recorded with the County Recorder.

(b) If the parties to the agreement or their successors in interest amend or ((cancel)) terminate the agreement as provided herein, or if the Board of Supervisors terminates or modifies the agreement as provided herein for failure of the applicant/developer to comply in good faith with the terms or conditions of the agreement, the Clerk of the Board of



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Supervisors shall have notice of such action recorded with the County Recorder.

Sec. 56.17. Periodic Review.

(a) Time for and Initiation of Review. The Director and Chief Administrative Officer shall conduct a review in order to ascertain whether the applicant/developer has in good faith complied with the development agreement((, which review shall occur every twelve (12) months from the effective date of the development agreement ordinance.)) The review process shall commence at the beginning of the second week of January following final adoption of a development agreement, and at the same time each year thereafter for as long as the agreement is in effect. The applicant/developer shall provide the Director and the Chief Administrative Officer with such information as is necessary for purposes of the compliance review.

Prior to commencing review, the Director shall provide written notification to any party to a collateral agreement which the Director is aware of pursuant to Sections 56.11(a) and (d), above. Said notice shall summarize the periodic review process, advising recipients of the opportunity to provide information regarding compliance with the development agreement. Upon request, the Director shall make reasonable attempts to consult with any party to a collateral agreement if specified terms and conditions of said agreement have been incorporated into the development agreement. Any report submitted to the Director by any party to a collateral agreement, if the terms or conditions of said collateral agreement have been incorporated into the development agreement, shall be transmitted to the Commission and/or Board of Supervisors.

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(b) Finding of Compliance by Director and the Chief Administrative Officer. If the Director and the Chief Administrative Officer finds on the basis of substantial evidence, that the applicant/developer has complied in good faith with the terms and conditions of the agreement, the Director shall notify the Commission and the Board of Supervisors of such determination, and shall at the same time cause notice of the determination to be published in the official newspaper and included on the Commission calendar. If [[any]] no member of the Commission or the Board of Supervisors [[fails to]] requests a public hearing to review the Director's determination within fourteen (14) days of receipt of the Director's notice, the Director's and Chief Administrative Officer's determination shall be final. In such event, the Director shall issue a certificate of compliance, which shall be in recordable form and may be recorded by the Developer in the official records. The issuance of a certificate of compliance by the Director shall conclude the review for the applicable period.

(c) Public Hearing Required. If the Director or the Chief Administrative Officer determines on the basis of substantial evidence that the applicant/developer has not complied in good faith with the terms and conditions of the development agreement, or otherwise determines that the public interest would be served by further review, or if a member of the Commission or Board of Supervisors requests further review pursuant to subsection (b) above, the Director shall make a report to the Commission which shall conduct a public hearing on the matter. Any such public hearing must be held no sooner than thirty (30) days, and no later than sixty (60) days, after the Commission has received the Director's report. The Director

shall provide to the applicant/developer (1) written notice of the public hearing scheduled before the Commission at least thirty (30) days prior to the date of the hearing, and (2) a copy of the Director's report to the Commission on the date the report is issued.

(d) Findings Upon Public Hearing. At the public hearing, the applicant/developer must demonstrate good faith compliance with the terms of the development agreement. The Commission shall determine upon the basis of substantial evidence whether the applicant/developer has complied in good faith with the terms of the development agreement.

(e) Finding of Compliance by Commission. If the Commission after a hearing, determines on the basis of substantial evidence that the applicant/developer has complied in good faith with the terms and conditions of the agreement during the period under review, ((the review for that period is concluded)). ((T))the Commission shall instruct the Director to issue a certificate of compliance, which shall be in recordable form, ((and)) may be recorded by the applicant/developer in the official records, and which shall conclude the review for that period; provided that the certificate shall not be issued until after the time has run for the Board to review the determination. Such determination shall be reported to the Board of Supervisors. Notice of such determination shall be transmitted to the Clerk of the Board of Supervisors within three days following the determination. The Board may adopt a motion by majority vote to review the decision of the Planning Commission within ten (10) days of the date after the transmittal. A public hearing shall be held within thirty (30) days after the date that the motion was adopted by the Board.



The Board shall review all evidence and testimony presented to the Planning Commission, as well as any new evidence and testimony presented at or before the public hearing. If the Board votes to overrule the determination of the Planning Commission, and refuses to approve issuance of a certificate of compliance, the Board shall adopt written findings in support of its determination within ten (10) days following the date of such determination. If the Board agrees with the determination of the Planning Commission, the Board shall notify the Planning Director to issue the certificate of compliance.

(f) Finding of Failure of Compliance. If the Commission after a public hearing determines on the basis of substantial evidence that the applicant/developer has not complied in good faith with the terms and conditions of the agreement during the period under review, the Commission shall either (1) extend the time for compliance upon a showing of good cause; or (2) shall initiate proceedings to modify or terminate the agreement pursuant to Section 56.18.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By Noreen Antonio
Deputy City Attorney

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 19, 1991 | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-90-64

FEB 27 1991
Date Approved

Mayor

FILE NO. 255-90-3

ORDINANCE NO. 60-91

(Mission Bay Development Agreement)

2/19/91 ep

ADOPTING AND APPROVING THE DEVELOPMENT AGREEMENT, AS AMENDED ON FEBRUARY 19, 1991, BY AND BETWEEN THE CITY AND COUNTY OF SAN FRANCISCO AND CATELLUS DEVELOPMENT CORPORATION (DEVELOPMENT AGREEMENT), AND AUTHORIZING THE MAYOR TO EXECUTE THE DEVELOPMENT AGREEMENT ON BEHALF OF THE CITY AND COUNTY OF SAN FRANCISCO

Be it ordained by the People of the City and County of San Francisco:

Section 1. The Board of Supervisors, having received the recommendation of the City Planning Commission to approve and adopt the Development Agreement, and the determination of the City Planning Commission that the Development Agreement is consistent with the Master Plan, Central Waterfront Plan and Mission Bay Plan, and the Priority Policies enumerated in City Planning Code Section 101.1, and having determined that the Mission Bay project is a large multi-phase and/or mixed use development within the meaning of Section 56.3 of the San Francisco Administrative Code, and that the Development Agreement contains all necessary provisions as required by Section 56.7(a) of the San Francisco Administrative Code, hereby approves the

2/19/91 ep

Development Agreement, as amended on February 19, 1991, attached hereto and incorporated herein by reference.

Section 2. The Board of Supervisors hereby authorizes the Mayor to execute the Development Agreement on behalf of the City

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2/19/91 ep

and County of San Francisco, following the effective date of this ordinance, and authorizes the Clerk of the Board to attest to the Mayor's signature.

APPROVED AS TO FORM:

LOUSIE H. RENNE
City Attorney

Kenneth S. Taymor

KENNETH S. TAYMOR
Special Assistant to the City Attorney

Noreen Ambrose

NOREEN AMBROSE
Deputy City Attorney



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Board of Supervisors, San Francisco

| | | |
|---|---|---|
| Passed for Second Reading | § | Finally Passed |
| | § | |
| February 19, 1991 | § | February 25, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto | § | Ayes: Supervisors Achtenberg Alioto |
| Britt Gonzalez Hallinan Kennedy | § | Britt Gonzalez Hallinan Kennedy |
| Maher Migden Shelley Ward | § | Maher Migden Shelley Ward |
| | § | |
| Noes: Supervisors Hsieh | § | Noes: Supervisors Hsieh |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
255-90-3

FEB 27 1991
Date Approved

Mayor

FILE NO. 255-90-5 ORDINANCE NO. 61-91

(Reclassification of Property)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR CERTAIN PROPERTIES IN THE MISSION BAY AREA GENERALLY BOUNDED BY THIRD STREET, BERRY STREET, FOURTH STREET, THE CHINA BASIN CHANNEL, CHINA BASIN STREET, MARIPOSA STREET, PENNSYLVANIA STREET, SEVENTH STREET, AND TOWNSEND STREET, ALL OF ASSESSOR'S BLOCK 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, AND 3944 AND PORTIONS OF ASSESSOR'S BLOCKS 3940, 3941, 3943, 3948, AND 9900; AND TO RECLASSIFY THESE PROPERTIES FROM C-M TO MB-O, AND FROM M-2 AND P TO MB-R-1, MB-R-2, MB-R-3, MB-O, MB-CI, MB-CF, MB-NC-S, MB-NC-2, MB-NC-3, MB-H, M-1, AND MB-OS USE DISTRICTS.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. The following change in property use classification from C-M to MB-O, and from M-2 and P to MB-R-1, MB-R-2, MB-R-3, MB-O, MB-CI, MB-CF, MB-NC-S, MB-NC-2, MB-NC-3, MB-H, M-1, and MB-OS Use Districts, with boundaries as shown on the map on file with the Clerk of the Board of Supervisors under File No. 255-90-5 and as generally shown on Exhibit A, attached hereto, is hereby adopted.

Description of Property

Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942; Lot 2 in Block 3940; portion of Block 3941 westerly of "China Basin

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Street;" Lot 6 in Block 3943; Block 3944; Lot 1 in Block 3948; and portion of Block 9900 along "China Basin Street."

SECTION 2. Pursuant to Section 101.1 of the City Planning Code, this Board of Supervisors adopts City Planning Commission Resolution No. 12040 approving the findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Noreen Ambrose
Deputy City Attorney



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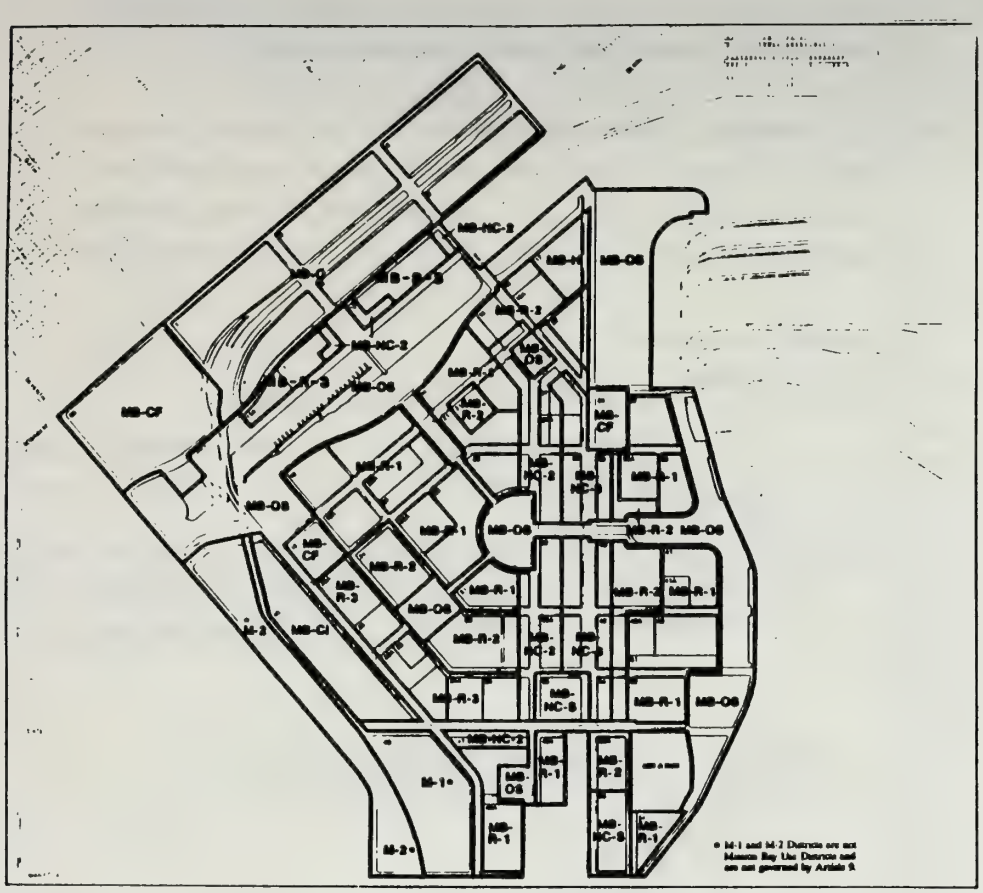
BOARD OF SUPERVISORS




# Mission Bay Use Districts

**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted], Gonzalez, Hallinan, [redacted], [redacted], Kennedy, Maher, [redacted], Walker, Ward.

Noes: Supervisors Hongisto Hsieh

Absent: Supervisors Britt Nelder

John L. Taylor Clerk

255-90-5 FEB 27 1991

File No. Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

February 25, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, [redacted], Kennedy, Maher, Migden, Shelley, Ward.

Noes: Supervisors Hsieh

[redacted]

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor Clerk

Mayor

**EXHIBIT A**

FILE NO. 255-90-6 ORDINANCE NO. 62-91

(Reclassification of Property)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO FOR CERTAIN PROPERTIES IN THE MISSION BAY AREA GENERALLY BOUNDED BY THIRD STREET, BERRY STREET, FOURTH STREET, THE CHINA BASIN CHANNEL, CHINA BASIN STREET, MARIPOSA STREET, PENNSYLVANIA STREET, SEVENTH STREET, AND TOWNSEND STREET, ALL OF ASSESSOR'S BLOCK 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942, AND 3944 AND PORTIONS OF ASSESSOR'S BLOCKS 3940, 3941, 3943, 3948, AND 9900; AND TO RECLASSIFY THESE PROPERTIES FROM 40-X, 50-X, 80-B, 105-F, 130-B, AND 200-E HEIGHT AND BULK DISTRICTS TO OS, 45, 55, 70, 85, 95, AND 110, HEIGHT DISTRICTS.

Be it ordained by the People of the City and County of San Francisco:

SECTION 1. The following change in property height and bulk district classification from 40-X, 50-X, 80-B, 105-F, 130-B, and 200-E to OS, 45, 55, 70, 85, 95, and 110 Height Districts, with boundaries as shown on the map on file with the Clerk of the Board of Supervisors under File No. 255-90-6 and as generally shown on Exhibit A, attached hereto, is hereby adopted.

Description of Property

Assessor's Blocks 3795-3798, 3804-3806, 3809, 3810, 3813, 3819, 3822, 3832, 3835, 3837-3841, 3849-3853, 3880, 3892, 3942; Lot 2 in Block 3940; portion of Block 3941 westerly of "China Basin Street;" Lot 6 in Block 3943; Block 3944; Lot 1 in Block 3948; and portion of Block 9900 along "China Basin Street."

SECTION 2. Pursuant to Section 101.1 of the City Planning Code, this Board of Supervisors adopts City Planning Commission Resolution No. 12040 approving the findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: Noreen Ambrose
Deputy City Attorney



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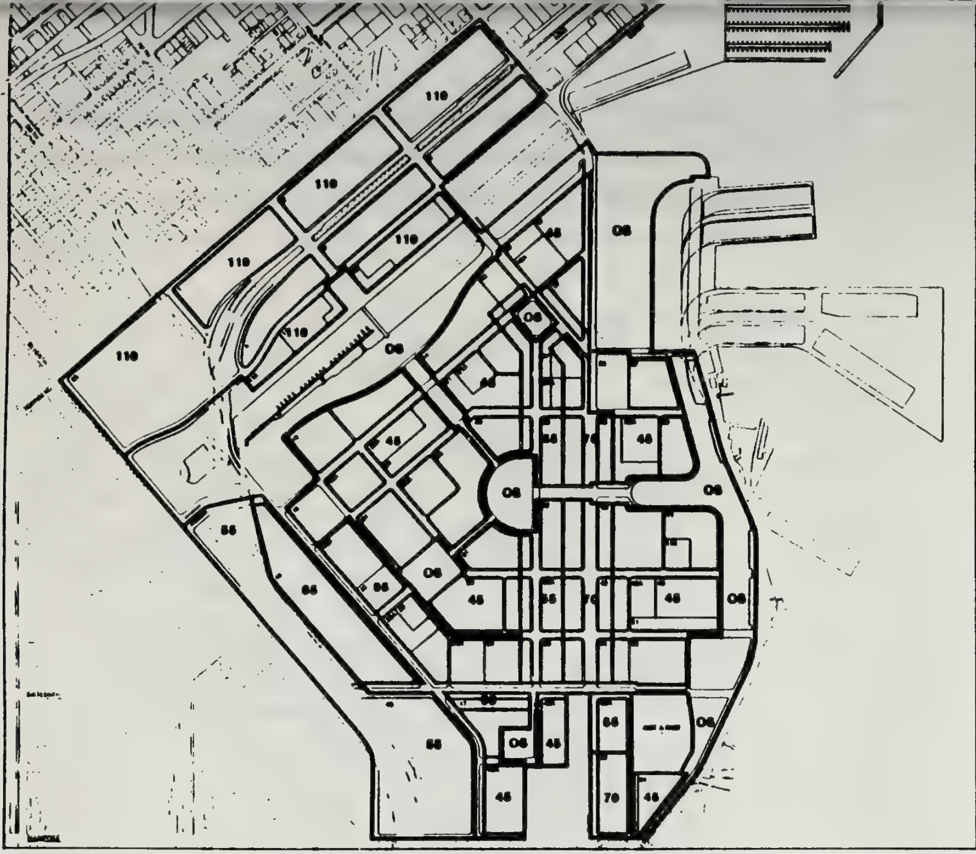


255-90-6

# Mission Bay Height Districts

**Passed for Second Reading**

Board of Supervisors, San Francisco

January 7, 1991

Ayes: Supervisors Alioto, [redacted] Gonzalez, Hallinan, [redacted] Kennedy, Maher, [redacted] Walker, Ward.

Noes: Supervisors Hongisto Hsieh

Absent: Supervisors Britt Nelder

John L. Taylor Clerk

255-90-6
File No.

FEB 27 1991
Approved

**Read Second Time and Finally Passed**

Board of Supervisors, San Francisco

February 25, 1991

Ayes: Supervisors Achtenberg, Alioto, Britt, Gonzalez, Hallinan, [redacted] Kennedy, Maher, Migden, Shelley, Ward.

Noes: Supervisors Hsieh

[redacted]

*I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.*

John L. Taylor Clerk

Mayor

EXHIBIT A

FILE NO. 255-90-4 ORDINANCE NO. 63-91

(City Planning Code Text Amendment)

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY AMENDING SECTIONS 102, 201 AND 202 TO REFER TO NEW ARTICLE 9, AND BY ADDING ARTICLE 9 TO ESTABLISH THE MISSION BAY DISTRICTS, AND TO PROVIDE FOR PERMITTED USES, ZONING CONTROL TABLES, DENSITY, HEIGHT DISTRICT MEASUREMENTS AND EXCEPTIONS, BUILDING FORM ARTICULATION PROVISIONS, SETBACKS AND PROJECTIONS, ROOFTOP FEATURES, AWNINGS AND MARQUEES, LOT COVERAGE AND BUILDING SEPARATIONS, PARKING AND FREIGHT LOADING/SERVICE VEHICLE PROVISIONS, SIGN PROVISIONS, RELATIONSHIP TO TRANSPORTATION MANAGEMENT - RESIDENT TRAINING AND PLACEMENT - CHILDCARE - OFFICE SPACE LIMITATION - HISTORIC PRESERVATION PROVISIONS, RULES FOR NONCONFORMING USES AND NONCOMPLYING STRUCTURES, RULES FOR CONDITIONAL, TEMPORARY AND ACCESSORY USES, AND PROVISIONS FOR COMPLIANCE, PERMIT APPROVAL AND ENFORCEMENT AMONG OTHER PROVISIONS.

Note: In Section 1, additions are <u>underlined</u>; deletions are shown in [[double brackets]]
In Section 2, the entire Article is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by amending Sections 102, 201, and 202 to read as follows:

SEC. 102. DEFINITIONS. For the purposes of this Code, certain words and terms used herein are defined as set forth in this and the following sections. Additional definitions applicable [[only]] to Article 7, Neighborhood Commercial Districts <u>and to Article 9, Mission Bay Districts</u> are set forth in Section 790. Additional definitions applicable only to

Article 8, Mixed Use Districts, are set forth in Section 890. Additional definitions applicable only to Article 9, Mission Bay Districts, are set forth in Section 996. All words used in the present tense shall include the future. All words in the plural number shall include the singular number and all words in the singular number shall include the plural number, unless the natural construction of the wording indicates otherwise. The word "shall" is mandatory and not directory. Whenever any of the following terms is used it shall mean the corresponding officer, department, board or commission of the City and County of San Francisco, State of California, herein referred to as the City: Assessor, Board of Supervisors, Department of City Planning, Department of Public Works, Director of Planning, City Planning Commission, Zoning Administrator. In each case, the term shall be deemed to include an employee of any such officer or department of the City who is lawfully authorized to perform any duty or exercise any power as a representative or agent of that officer or department. (Amended by Ord. 443-78, App. 10/6/78; Ord. 69-87, App. 3/13/87; Ord. 131-87, App. 4/24/87)

SEC. 201. CLASSES OF USE DISTRICTS. In order to carry out the purposes and provisions of this Code, the City is hereby divided into the following classes of use districts:

| | |
|---|---|
| P | Public Use Districts |
| RH-1(D) | Residential, House Districts, One-Family (Detached Dwellings) |
| RH-1 | Residential, House Districts, One-Family |
| RH-1(S) | Residential, House Districts, One-Family with Minor Second Unit |
| RH-2 | Residential, House Districts, Two-Family |
| RH-3 | Residential, House Districts, Three-Family |

RM-1 Residential, Mixed Districts, Low Density

RM-2 Residential, Mixed Districts, Moderate Density

RM-3 Residential, Mixed Districts, Medium Density

RM-4 Residential, Mixed Districts, High Density

RC-1 Residential-Commercial Combined Districts, Low Density

RC-2 Residential-Commercial Combined Districts, Moderate Density

RC-3 Residential-Commercial Combined Districts, Medium Density

RC-4 Residential-Commercial Combined Districts, High Density

<u>Neighborhood Commercial Districts</u> (Also see Article 7)

General Area Districts

NC-1 Neighborhood Commercial Cluster District

NC-2 Small-Scale Neighborhood Commercial District

NC-3 Moderate-Scale Neighborhood Commercial District

NC-S Neighborhood Commercial Shopping Center District

Individual Area Districts

Broadway Neighborhood Commercial District

Castro Street Neighborhood Commercial District

Inner Clement Street Neighborhood Commercial District

Outer Clement Street Neighborhood Commercial District

Upper Fillmore Street Neighborhood Commercial District

Haight Street Neighborhood Commercial District

Hayes-Gough Neighborhood Commercial District

Upper Market Street Neighborhood Commercial District

North Beach Neighborhood Commercial District

Polk Street Neighborhood Commercial District

Sacramento Street Neighborhood Commercial District

Union Street Neighborhood Commercial District

Valencia Street Neighborhood Commercial District

24th Street-Mission Neighborhood Commercial District

24th Street-Noe Valley Neighborhood Commercial District

West Portal Avenue Neighborhood Commercial District

<u>Chinatown Mixed Use Districts</u> (Also see Article 8)

| | |
|---|---|
| CCB | Chinatown Community Business District |
| CR/NC | Chinatown Residential/Neighborhood Commercial District |
| CVR | Chinatown Visitor Retail District |
| C-1 | Neighborhood Shopping Districts |
| C-2 | Community Business Districts |
| C-M | Heavy Commercial Districts |
| C-3-O | Downtown Office District |
| C-3-R | Downtown Retail District |
| C-3-G | Downtown General Commercial District |
| C-3-S | Downtown Support District |
| M-1 | Light Industrial Districts |
| M-2 | Heavy Industrial Districts |

<u>South of Market Use Districts</u> (Also see Article 8)

| | |
|---|---|
| RED | Residential Enclave Districts |
| SPD | South Park District |
| RSD | Residential Service District |
| SLR | Service/Light Industrial/Residential District |
| SLI | Service/Light Industrial District |
| SSO | Service/Secondary Office District |

<u>Mission Bay Districts</u> (Also see Article 9)

| | |
|---|---|
| MB-R-1 | Mission Bay Lower Density Residential District |
| MB-R-2 | Mission Bay Moderate Density Residential District |
| MB-R-3 | Mission Bay High Density Residential District |

///

| | |
|---|---|
| MB-NC-2 | Mission Bay Small Scale Neighborhood Commercial District |
| MB-NC-3 | Mission Bay Moderate Scale Neighborhood Commercial District |
| MB-NC-S | Mission Bay Neighborhood Commercial Shopping Center District |
| MB-O | Mission Bay Office District |
| MB-CI | Mission Bay Commercial-Industrial District |
| MB-H | Mission Bay Hotel District |
| MB-CF | Mission Bay Community Facilities District |
| MB-OS | Mission Bay Open Space District |

SEC. 202. USES PERMITTED BY THIS CODE. (a) The use limitations of this Code shall be set forth in Articles 2, 6, 7 [[and]] 8 <u>and 9</u> for the use districts of the City, as established by Sections 201, 701, [[and]] 801 <u>and 902</u> of this Code and as shown on the Zoning Map referred to in Section 105 of this Code, subject to the provisions of Section 105. The uses permitted under this Code shall consist of the following:

(1) Principal uses, permitted as of right in each established district where listed for that class of districts in Articles 2, 7, [[and]] 8 <u>and 9</u> as regulated herein and elsewhere in this Code;

(2) Conditional uses, permitted in each established district when authorized by the City Planning Commission under Section 303 of this Code, where listed for that class of districts in Articles 2, 7, [[and]] 8 <u>and 9</u> and as regulated herein and elsewhere in this Code;

(3) Accessory uses for such permitted principal and conditional uses, as defined and regulated in Sections 204 through 204.5, Section 703.2(b)(1)(C), [[and]] Section

803.3(b)(1)(C), Section 903(a)(3) and Section 986 of this Code. Any use not qualified under such sections as an accessory use shall be classified as a principal or conditional use.

(b) Permitted uses shall include in each established district such uses not specifically listed in Articles 2, 7 or 8 of this Code as are from time to time determined by the Zoning Administrator to be permitted uses in accordance with Section 307(a) of this Code.

(c) No use shall be permitted in any R District, C District or M-1 District which by reason of its nature or manner of operation creates conditions that are hazardous, noxious or offensive through emission of odor, fumes, smoke, cinders, dust, gas, vibration, glare, refuse, water-carried waste, or excessive noise.

(d) Except as specifically provided herein to the contrary, the provisions of Articles 2, 7, 8 [[and]] and 9 of this Code shall apply to all uses, properties and developments, both public and private, including those of the City and County of San Francisco. (Amended by Ord. 262-80, App. 6/9/80; Ord. 69-87, App. 3/13/87; Ord. 115-90, App. 4/6/90)

Section 2. Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Article 9 thereto, to read as follows:

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2/6/91 - As divided in Committee

FILE NO. 101-90-54.1

ORDINANCE NO. 64-91

RO #90173 SA #45

(GOVERNMENT FUNDING)

2/6/91 jll APPROPRIATING ~~$1,801~~ $476 FOR ~~TRAVEL, TRAINING AND~~ MEMBERSHIP DUES, RECORDER'S OFFICE FOR FISCAL YEAR 1990-91; SUBJECT OF PREVIOUS BUDGETARY DENIAL.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| 2/6/91 jll Subsidiary 000006 | General Reserve | $ 476 ~~$ 1,801~~ | |
| 78-00-00 | Recorder | | |
| 2/6/91 jll ~~10-1120 (428011)~~ | ~~Travel~~ | | ~~$ 967~~ |
| ~~10-1130~~ | ~~Training~~ | | ~~358~~ |
| 10-1440 | Membership Dues | | 476 |
| 2/6/91 jll | Total | ~~$ 1,801~~ $ 476 | ~~$ 1,801~~ $ 476 |

Section 2. This ordinance is adopted by a two-thirds vote of all members of the Board of Supervisors pursuant to Section 6.306 of the Charter. These items were previously requested by Budget Estimate and denied by the Board of Supervisors.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel A. Yockey Jr.
CONTROLLER

ac(1035ADM75)

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 11, 1991 | February 19, 1991 |
| Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| Absent: Supervisors Britt | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 101-90-54.1

FEB 28 1991
Date Approved

Mayor

DOCUMENTS
MAR 12 1991
PUBLIC LIBRARY

FILE NO. 101-90-55

ORDINANCE NO. 65-91

RO #90174 SA #93

(GOVERNMENT FUNDING)

APPROPRIATING $48,000 FOR TEMPORARY SALARIES, OVERTIME AND RELATED MANDATORY FRINGE BENEFITS AND RESCINDING $18,000 FROM PERMANENT SALARIES, RETIREMENT SYSTEM FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1989-90 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| Subsidiary 000006 | General Reserve | $30,000 | |
| 44-02-00 | Retirement | | |
| 01-0010 (380543) | Permanent Salaries | 18,000 | |
| 02-0200 | Temporary Salaries | | $26,000 |
| 03-0100 | Overtime | | 17,920 |
| 04-0600 | Retirement - City | | 2,690 |
| 04-0606 | Social Security | | 1,372 |
| 04-0610 | Unemployment Insurance | | 18 |
| | Total | $48,000 | $48,000 |

372-MPPSPGEN

APPROVED AS TO FORM
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Yates
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 11, 1991 | § | February 19, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-55

FEB 28 1991
Date Approved

Mayor

DOCUMENTS

MAR 12 1991

PUBLIC LIBRARY

Amendment of the Whole as Amended in Cmte. 2/5/91

FILE NO. 121-90-8

ORDINANCE NO. 66-91

(Moratorium on Pawnshops)

AMENDING THE SAN FRANCISCO MUNICIPAL CODE PART II, ARTICLE 28 (POLICE CODE) BY ADDING SECTION 2825 THERETO, PROVIDING A MORATORIUM ON THE GRANTING OF PAWNSHOP PERMITS IN THE MISSION AND INGLESIDE POLICE DISTRICTS.

Note: The section is new.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The San Francisco Municipal Code Part II, Article 28 (Police Code) is amended by adding section 2825 thereto, to read as follows:

SEC. 2825. MORATORIUM ON THE GRANTING OF PERMITS IN THE MISSION AND INGLESIDE POLICE DISTRICTS. Notwithstanding any provision of this Code, the Chief of Police shall not grant or issue to any person a permit to operate or to cause or permit to be operated any pawnbroking business in the Mission and Ingleside Police Districts.

1. MISSION POLICE DISTRICT DEFINED: Commencing at the point of intersection of the center line of Duboce Avenue and the center line of Steiner Street; thence easterly along the center line of Duboce Avenue to the center line of 13th Street; thence southeasterly along the center line of 13th Street to Division Street; thence easterly along the center line of Division Street to the center line of Potrero Avenue; thence southerly along the center line of Potrero Avenue to the center line of 18th Street; thence easterly along the center line of 18th Street to the west line of the James Lick Memorial Freeway; thence southerly along the west line of the James Lick Memorial Freeway to the center line of Army Street; thence westerly along the center line of Army Street to the center line of Douglass Street; thence south along the center line of Douglass Street to the center line of 27th Street; thence along the center line of 27th Street, and its prolongation along Safira Lane to the center line of Diamond Heights Boulevard; thence westerly along the the center line of Diamond Heights Boulevard to the center line of Portola Drive; thence southwesterly along the center line of Portola Drive to the center line of Twin Peaks Boulevard; thence northwesterly along the center line of Twin Peaks Boulevard to the center line of Clayton Street; thence northwest along the center line of Clayton Street to the center line of 17th Street; thence east along the center line of 17th Street to the center line of Roosevelt Way; thence northeast along the center line of Roosevelt Way to the center line of Loma Vista Terrace; thence northeast along the center line of Loma Vista Terrace to the center line of Upper Terrace; thence northeasterly along the center line of Upper Terrace to the center line of Buena Vista East; thence northeast along the center line of Buena Vista East to the center line of Duboce Avenue; thence east along the center line of Duboce Avenue to the center line of Steiner Street to the point of commencement.

2. INGLESIDE DISTRICT DEFINED. Commencing at a point where the center line of Alabama Street intersects the center line of Army Street; thence westerly along the center line of Army Street to the center line of Portola Drive; thence westerly along the center line of Portola Drive to the center line of Junipero Serra Boulevard; thence southerly along the center line of Junipero Serra Boulevard to the San Mateo County Line; thence easterly along the San Mateo County Line to the center line of Geneva Avenue; thence westerly along the center line of Geneva Avenue to the most



MAR 12 1991

easterly boundary of the Crocker-Amazon Playground; thence northerly along the Crocker-Amazon boundary to the center line of La Grande Avenue; thence northerly along the center line of La Grande Avenue to the center line of Persia Avenue; thence easterly along the center line of Persia Avenue to the intersection with the center line of Brazil Avenue; thence westerly along the center line of Brazil Avenue to the center line of La Grande Avenue; thence northerly along the center line of La Grande Avenue to the center line of Burrows Street; thence easterly along the center line of Burrows Street to the center line of Harvard Street; thence southerly along the center line of Harvard Street to the center line of Bacon Street; thence easterly along the center line of Bacon Street to the center line of Oxford Street; thence southerly along the center line of Oxford Street to the center line of Wayland Street; thence easterly along the center line of Wayland Street to the center line of Cambridge Street; thence northerly along the center line of Cambridge Street to the center line of Silver Avenue; thence easterly along the center line of Silver Avenue to the center line of Bowdoin Street; thence northerly along the center line of Bowdoin Street to the center line of Alemany Boulevard; thence northeasterly along the center line of Alemany Boulevard to the west boundary of the James Lick Memorial Freeway; thence northeasterly along the west boundary of the Freeway to the center line of Army Street; thence westerly along the center line of Army Street to the center line of Alabama Street to the point of commencement.

3. SUNSET PROVISION. The moratorium provided by this ordinance shall expire January 15, 1996.

/ / /

/ / /



Section 2. The Board of Supervisors hereby makes the following findings in support of a moratorium on the granting of pawnshop permits in the Mission and Ingleside Police Districts:

1. The Mission Police District has one of the highest crime rates in the City of San Francisco.

2. There are at least four pawnshops in the Mission Police District located along Mission Street.

3. The Ingleside Police District is immediately adjacent to the Mission Police District. Mission Street serves as the principal commercial corridor of both the Ingleside and Mission Police Districts.

2/5/90 BT ~~4. The business of pawnbrokers facilitates the commission of crime and its concealment.~~

4.5. The presence of pawnshops along Mission Street negatively affects the quality of life in the neighborhoods near or adjacent to Mission Street in the Mission and Ingleside Police Districts.

APPROVED AS TO FORM:

LOUISE RENNE
City Attorney

By: Yara E. Rosales
Deputy City Attorney

Board of Supervisors, San Francisco

| | | |
|---|---|---|
| Passed for Second Reading | § | Finally Passed |
| | § | |
| February 11, 1991 | § | February 19, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto | § | Ayes: Supervisors Achtenberg Alioto |
| Britt Gonzalez Hallinan Hsieh | § | Britt Gonzalez Hallinan Hsieh |
| Kennedy Maher Migden Shelley Ward | § | Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
121-90-8

FEB 28 1991
Date Approved

Mayor

FILE NO. 46-90-22

ORDINANCE NO. 67-91

RO #90144

[Settlement of Lawsuit]

AUTHORIZING SETTLEMENT OF LITIGATION OF THE CITY AND COUNTY OF SAN FRANCISCO V. JOHN J. KOSEWIC ET AL. FOR FOUR HUNDRED FORTY TWO THOUSAND ONE HUNDRED DOLLARS ($442,100).

Be it ordained by the people of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "CITY AND COUNTY OF SAN FRANCICO VS. JOHN J. KOSEWIC ET AL.," San Francisco Superior Court No. 915-865, by the payment of Four Hundred Forty Two Thousand One Hundred Dollars ($442,100) and to take fee title of the property at the time of payment.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

ANDREW W. SCHWARTZ
Deputy City Attorney

RECOMMENDED:

ANTHONY J. DeLUCCHI
Director of Property

MARY BURNS
General Manager
Recreation & Park Department

FUNDS AVAILABLE:

| | |
|---|---|
| Organization Code: | 42 04 01 |
| Fund Group-Fund Code: | 02 221 |
| Project Code: | 670 01 |
| Index Code: | 375 899 |
| Sub-Object Code: | 2810 |

SAMUEL D. YOCKEY
Controller

DEC 14 1990

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-90-22

MAR 5 1991
Date Approved

Mayor

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FILE NO. 45-91-1

ORDINANCE NO. 68-91

RO #90154

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF MATTER OF JOHN RUNFOLA (Complaint Not Yet Filed) AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $15,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "MATTER OF JOHN RUNFOLA (Complaint Not Yet Filed) by the payment of $15,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 38
309781 1450 $15,000.00

JAN 02 1991

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY
Chief of Police

APPROVED:

SAN FRANCISCO POLICE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-1

MAR 5 1991
Date Approved

Mayor

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FILE NO. 45-91-2 ORDINANCE NO. 69-91

RO #90155

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF BENJAMIN MIZRYUKHIN AND OLGA FINE AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $15,000.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "BENJAMIN MIZRYUKHIN AND OLGA FINE v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 899-866, by the payment of $15,000 ($5,000 to Benjamin Mizryukhin and $10,000 to Olga Fine).

APPROVED AS TO FORM
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. RILEY
Chief Trial Deputy

RECOMMENDED:
San Francisco Police Department

WILLIS CASEY
Chief

FUNDS AVAILABLE:

SAMUEL YOCKEY
Controller

01 001 97 09 38
309781 1450 $15,000.00

APPROVED:

SECRETARY
Police Commission

JAN 02 1991

S1154

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
45-91-2

MAR 5 1991
Date Approved

Mayor

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PUBLIC LIBRARY

FILE NO. 45-91-3

ORDINANCE NO. 70-91

RO #90165

[SETTLEMENT OF LAWSUIT]
AUTHORIZING SETTLEMENT OF LITIGATION OF GODOFREDO NAJARRO AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $27,500.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "GODOFREDO NAJARRO v. CITY AND COUNTY OF SAN FRANCISCO, et al., Superior Court No. 898-184 by the payment of $27,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 90
309674 1450 $27,500.00

JAN 09 1991

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD J. EVANS, Director

APPROVED:

CHIEF ADMINISTRATIVE OFFICER

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

Clerk

File No. 45-91-3

MAR 5 1991
Date Approved

Mayor

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FILE NO. 45-91-4

ORDINANCE NO. 71-91

RO #90158

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF KENNETH ROBINSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $17,500.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Kenneth Robinson v. City and County of San Francisco, et al., Superior Court No. 912-402, by the payment of $17,500.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

DEPARTMENT OF PUBLIC WORKS

for RICHARD EVANS
Director

FUNDS AVAILABLE:

Controller

01 001 97 09 90
309674 1450 $17,500.00

JAN 09 1991

APPROVED:

Chief Administrative Officer

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-4

MAR 5 1991
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 19 1991
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 45-91-5

ORDINANCE NO. 72-91

RO #90172

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF LITIGATION OF GLADYS HOWARD AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $80,000.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "Gladys Howard v. City and County of San Francisco, et al.," United States District Court No. C87-5877, by the payment of $80,000.

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO SHERIFF'S DEPARTMENT

MICHAEL HENNESSEY
Sheriff

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 06
309740 1450 $80,000.00

JAN 15 1991

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-5

MAR 5 1991
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 19 1991
SAN FRANCISCO PUBLIC LIBRARY

FILE NO. 45-91-6 ORDINANCE NO. 23-91

RO #90181

AUTHORIZING SETTLEMENT OF LITIGATION OF DOLORES HUERTA V. CITY AND COUNTY OF SAN FRANCISCO.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Preamble.

On September 14, 1988, a crowd gathered in front of the St. Francis Hotel to demonstrate in protest of a speech being given there by Vice President George Bush. Dolores Huerta, age 58, was on the sidewalk near the steps of the Powell Street entrance to the St. Francis Hotel distributing a press release. She had just given an interview when members of the San Francisco Police Department made a decision to clear the sidewalk of demonstrators in front of the Powell Street entrance to the hotel. Police ordered the crowd to move away from the hotel entrance and into Union Square. Officers used batons to keep the demonstrators out of the street and move them south down the sidewalk away from the hotel entrance. While officers were clearing this area, Dolores Huerta received a serious injury to her ribs and spleen. She was transported to San Francisco General Hospital where surgeons removed her spleen during an emergency operation.

A complaint was made on behalf of Dolores Huerta with the Office of Citizen Complaints. Later, Ms. Huerta filed an action in U.S. District Court entitled Dolores Huerta v. City and County of San Francisco, (Case No. C89-3390 JPV).

As a result of the incident, the Mayor ordered a close examination of the Department's crowd control policies. The following has occurred.

On December 14, 1988, the Police Chief announced new procedures and clarifications of existing practices. These are designed to enhance supervision of officers at demonstrations and



ensure that only the minimum degree of force necessary to discharge lawful duties is used.

On June 5, 1989, the San Francisco Police Commission adopted Department General Order F-5. The General Order reaffirms that "a primary mission of police action at events that involve free speech activity shall be to protect and respect First Amendment rights to freedom of expression and assembly." The General Order requires that whenever a crowd is directed to disperse, the individuals in the crowd must be given adequate notice and sufficient time to disperse as well as a safe and clear route to leave a demonstration area.

The Mayor appointed a special committee in the Spring of 1990 to revise and update the Department's training and policy materials on crowd control. The Committee, which included representatives from the Department, community groups, First Amendment organizations, the Bar Association, and the Police Officers Association, produced a comprehensive Crowd Control Manual. This manual addresses a wide range of issues including the First Amendment and the role of the police, crowd control measures and formations, baton use, and arrest procedures.

The Police Commission adopted the Crowd Control Manual on June 6, 1990, and directed that it be distributed to all members of the Police Department. All police officers will receive training using the manual. All supervising officers in the rank of Lieutenant and above have already completed this training. The Department anticipates that all remaining police officers will complete this training by March 1, 1991.

General Order F-5 specifically states that "the Police Commission and Chief of Police will not tolerate violations" of the crowd control policy. Any violation "will subject the

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offending members to disciplinary action which may include suspension or termination."

To enhance the disciplinary process for violations of crowd control policy, the Department undertook steps in 1989 to ensure that the Office of Citizens Complaints (OCC) receives advance notice of any known demonstration. In December 1990, the Police Commission and Police Chief established procedures to ensure that disagreements between the OCC and Police Chief will be referred to the Commission. The Police Chief and the Commission are taking further steps to ensure that all serious cases of misconduct are heard and resolved by the Commission.

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Section 2. Authorization.

The City Attorney is hereby authorized to settle the claims of Dolores Huerta in the action entitled Dolores Huerta, et al. v. City and County of San Francisco, U.S. District Court Case No. C89-3390 JPV, by payment of the total sum of $825,000, which sum may be paid in toto to the claimant or in part to the claimant and in part for a structured settlement for the claimant as may be negotiated by the City Attorney, provided, that any liability of the City and County of San Francisco, its agents, officers, and employees is fully extinguished and resolved, through a qualified assignment or otherwise, and no more than the sum of $825,000 is paid.

APPROVED AS TO FORM
AND RECOMMENDED

LOUISE H. RENNE
City Attorney

GEORGE A. RILEY
Special Assistant to
the City Attorney

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY
Chief of Police

FUNDS AVAILABLE:

SAMUEL D. YOCKEY
Controller

01 001 97 09 38
309781 1450 $825,000.00

JAN 25 1991

APPROVED:

POLICE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 19, 1991 | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| Absent: Supervisors Britt | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
45-91-6

MAR 5 1991
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 1 5 1991
SAN FRANCISCO
PUBLIC LIBRARY

FILE NO. 45-90-64

ORDINANCE NO. 74-91

RO #90143

(SETTLEMENT OF LAWSUIT)

AUTHORIZING SETTLEMENT OF LITIGATION OF RONALD S. MALSON AGAINST THE CITY AND COUNTY OF SAN FRANCISCO FOR $7,000.00.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized to settle the action entitled "RONALD S. MALSON V. THE CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 853-162, by the payment of $7,000.00.

APPROVED AS TO FORM AND RECOMMENDED:

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:
MUNICIPAL COURT

By: GORDON PARK-LI
Clerk Administrator

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 11
309757 1450 $7,000.00

DEC 18 1990

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-90-64

MAR 5 1991
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 1 8 1991

FILE NO. 62-91-1

ORDINANCE NO. 75-91

(MUSIC FESTIVAL LEASE)

APPROVING LEASE FOR ESTABLISHING AND OPERATING TWO ANNUAL MUSIC FESTIVALS AT CAMP MATHER, LOCATED AT TUOLUMNE COUNTY, CALIFORNIA.

Be it ordained by the People of the City and County of San Francisco:

Section 1. That certain lease between the Recreation and Park Commission, for and on behalf of the City and County of San Francisco and Strawberry Music, Inc. for establishing and operating two annual music festivals at Camp Mather, a copy of which lease is on file in the office of the Clerk of the Board of Supervisors and to which reference is hereby made, is hereby approved.

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

Mara E. Rosales, Deputy City Attorney

1361M

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 62-91-1

MAR 5 1991

Date Approved

Mayor

DOCUMENTS DEPT.
MAR 1 9 1991
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[Settlement of Unlitigated Claims -- Under $5,000]

REPEALING SECTION 2 OF ORDINANCE NO. 66-90, REMOVING THE SUNSET CLAUSE ON THE AUTHORITY PROVIDED BY SECTION 10.21 OF THE SAN FRANCISCO ADMINISTRATIVE CODE FOR THE CITY ATTORNEY OR A STAFF MEMBER DESIGNATED BY THE CITY ATTORNEY TO SETTLE UNLITIGATED CLAIMS OF UNDER $5,000 WITHOUT THE APPROVAL OF THE HEAD OF THE DEPARTMENT OR THE BOARD OR COMMISSION IN CHARGE OF THE DEPARTMENT.

NOTE: Additions and substitutions are <u>underlined</u>
Deletions are indicated by ((double parentheses))

Be it ordained by the people of the City and County of San Francisco:

Section 1. Ordinance No. 66-90 is hereby amended by deleting Section 2, which effects Section 10.21 of the San Francisco Administrative Code, as follows:

SEC. 10.21 ALLOWANCE AND SETTLEMENT OF UNLITIGATED CLAIMS UNDER $5,000. Any unlitigated claim may be allowed or settled and compromised with the written approval of the City Attorney or a staff member of the Office of the City Attorney designated by the City Attorney, where the amount of such allowance or settlement and compromise is not in excess of $5,000; otherwise, there shall be required additionally the consent of the Board of Supervisors. Except where paid from the Cash Revolving Fund established by Section 10.136-1, no claim shall be paid until the Controller shall certify that monies are available from the proper funds or appropriations to pay the claim as allowed or as compromised and settled. The City Attorney shall submit, on a monthly basis, a report to each City department and commission and the Board of Supervisors. Said report shall list each claim by amount demanded, amount paid, nature of incident giving rise to the claim, and the city department involved.

((Section 2. SUNSET CLAUSE.

The amendment of Section 10.21 effected by this ordinance shall remain in effect for one year from the date of adoption, and as of that date is repealed.))

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

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PUBLIC LIBRARY

Board of Supervisors, San Francisco

| | | |
|---|---|---|
| Passed for Second Reading | § | Finally Passed |
| | § | |
| February 19, 1991 | § | February 25, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| | § | |
| Absent: Supervisors Britt | § | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-90-1.1

MAR 5 1991
Date Approved

Mayor

As amended in Committee
February 12, 1991.

FILE NO. 97-91-4 ORDINANCE NO. 22-91

[SETTLEMENT OF LITIGATION]

AMENDING SECTION 10.22-2 OF THE SAN FRANCISCO ADMINISTRATIVE CODE, AUTHORIZING THE CITY ATTORNEY OR A STAFF MEMBER DESIGNATED BY THE CITY ATTORNEY TO SETTLE LITIGATION BY PAYMENT NOT EXCEEDING $5,000 WITHOUT THE APPROVAL OF THE CHIEF ADMINISTRATIVE OFFICER OR THE BOARD OR COMMISSION IN CHARGE OF THE DEPARTMENT, BUT WITH THE APPROVAL OF THE HEAD OF THE DEPARTMENT WHICH HAS JURISDICTION OVER THE MATTER, AND REQUIRING THE CITY ATTORNEY TO SUBMIT MONTHLY REPORTS TO THE BOARD OF SUPERVISORS LISTING LITIGATION SETTLED FOR AN AMOUNT NOT IN EXCESS OF $5,000.

2/12/91 mlr

NOTE: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the people of the City and County of San Francisco:

Section 1. The San Francisco Administrative Code is hereby amended by amending Section 10.22-2 thereof to read as follows:

Section 10.22-2. SETTLEMENT OF LITIGATION NOT EXCEEDING $5,000. ((The City Attorney is authorized and directed to compromise and settle, by payment not exceeding $5,000 any litigation against the City and County with respect to which the City Attorney and the head of the department which has jurisdiction over the matter or property giving rise to the litigation recommend such settlement in writing. Such settlement is subject to the written approval of the Chief Administrative Officer with respect to departments under his or her jurisdiction and is is subject to approval by resolution of the board or commission having jurisdiction over such department in other cases.)) Any litigated claim may be compromised and settled with the written approval of the City Attorney or a staff member of the Office of the City Attorney, designated by the City Attorney, where the amount of such compromise or settlement is not in excess of $5,000, provided such settlement has been approved by the head of the department which has jurisdiction over the matter. Except where paid from the Cash Revolving Fund established by Section 10.136.1, no payment by way of compromise and settlement authorized by this section shall be made until the Controller shall certify that monies are available from the proper funds or appropriations to pay such compromise and settlement. The City Attorney shall submit, on a monthly basis, a report to each city department and commission and the Board of Supervisors listing litigation settled for an amount not in excess of $5,000 during that month. Said reports shall list each litigation by amount demanded, amount paid, nature of incident giving rise to the litigation and the city department involved.

2/12/91 mlr

APPROVED AS TO FORM:

LOUISE H. RENNE, City Attorney

By: Theodore R. Lakey
Deputy City Attorney

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MAR 1 1991
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Board of Supervisors, San Francisco

| | | |
|---|---|---|
| Passed for Second Reading | § | Finally Passed |
| | § | |
| February 19, 1991 | § | February 25, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto | § | Ayes: Supervisors Achtenberg Alioto |
| Gonzalez Hallinan Hsieh Kennedy | § | Britt Gonzalez Hallinan Hsieh |
| Maher Migden Shelley Ward | § | Kennedy Maher Migden Shelley Ward |
| | § | |
| Absent: Supervisors Britt | § | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
97-91-4

MAR 5 1991
Date Approved

Mayor

2/13/91 - As amended in Committee

FILE NO. 97-91-6

ORDINANCE NO. 78-91

RO #90178

(Revolving Fund)

AMENDING SECTION 10.168 of ARTICLE XV OF THE SAN FRANCISCO ADMINISTRATIVE CODE TO INCREASE THE CASH REVOLVING FUND FOR THE ADULT PROBATION DEPARTMENT FROM $200 to ~~$1,200~~ $1,000.

2/13/91 jll

Note: Additions or substitutions are underlined; deletions are indicated by ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 10.168 of Article XV of the San Francisco Administrative Code is hereby amended to read as follows:

SEC. 10.168. CASH REVOLVING FUNDS - ((Adult Probation Department; $200)) Adult Probation Department; ~~$1,200~~ $1,000

2/13/91 jll

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney

APPROVED AS TO FUNDS:

By: _____
Controller

01 001 13 01 00
320549 1950 $1,000.00

JAN 23 1991

RECOMMENDED:

_____
Arlene M. Sauser, Chief
Adult Probation Officer
Adult Probation Department

Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| February 19, 1991 | § | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

_____
Clerk

File No. 97-91-6

MAR 5 1991
Date Approved

_____
Mayor

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Finance

2/13/91 - As amended in Committee

FILE NO. 101-90-42

ORDINANCE NO. 79-91

RO #90147 SA #91

(GOVERNMENT FUNDING)

APPROPRIATING $50,322 FOR PERMANENT SALARIES AND RETIREMENT ALLOWANCE AND RESCINDING $50,322 FROM PERMANENT SALARIES AND A SALARY ADJUSTMENTS FOR TWENTY (20) JUDGES AND THREE (3) TRAFFIC REFEREES, ALL RELATED TO MUNICIPAL COURT FOR FISCAL YEAR 1990-91, EFFECTIVE JANUARY 1, 1991.

2/13/91 jll

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| 11-00-00 | Municipal Court | | |
| 01-0010 (317016) | Permanent Salaries | $50,322 | $49,542 |
| 04-0600 | Retirement | | 780 |
| | Total | $50,322 | $50,322 |

Section 2. Funds are hereby appropriated for a salary adjustment of twenty three (23) positions by amendment to the Annual Salary Ordinance (Board of Supervisors' File No. 102-90-9 ) as follows:

| Fund: General Fund<br>Department: Municipal Court<br>Classification | Rate | Deleted | Created |
|---|---|---|---|
| 0200 A Judge | $7,180 M 7,180 | 20 | |
| 0250 A Traffic Referee | 3,950 M 5,744 | 3 | |
| 0200 A Judge | 7,557 M 7,557 | | 20 |
| 0250 A Traffic Referee | 4,157 M 6,046 | | 3 |
| | Total | 23 | 23 |

2/13/91 jll

Section 3. This Ordinance shall be effective January 1, 1991.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

CONTROLLER

CIVIL SERVICE COMMISSION:

BY: GENERAL MANAGER, PERSONNEL

Board of Supervisors, San Francisco

Passed for Second Reading
February 19, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hsieh Kennedy Maher Migden Shelley Ward
Absent: Supervisors Hallinan

Finally Passed
February 25, 1991
Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-42

MAR 5 1991
Date Approved

Mayor

CALIFORNIA DEPT.
MAR 1 1991
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FILE NO. 102-90-9 ORDINANCE NO. 80-91

SALARIES AND WAGES SAL. ORD. AMEND. NO. 8

AMENDING ORDINANCE NO. 288-90 (ANNUAL SALARY ORDINANCE, 1990-91) TO PROVIDE A SALARY INCREASE FOR JUDGES AND TRAFFIC REFEREES IN THE MUNICIPAL COURT EFFECTIVE JANUARY 1, 1991.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The hereinafter designated sections and items of Ordinance No. 288-90 (Annual Salary Ordinance, 1990-91) are hereby amended so that the same shall read as follows:

| NO. OF POS. | CLASS AND ITEM NO. | CLASS TITLE | COMPENSATION SCHEDULE |
|---|---|---|---|
| | Department 11 | Municipal Court | |
| | Division 00 | Municipal Court | |
| | Section 00 | Municipal Court | |
| | Program 1701 | Municipal Court Services | |
| | Fund 01001 | General Fund | |
| | Index 317016 | Municipal Court Exp. | |
| | Proj/Phase 000/00 | Unassigned Title | |
| | Object 001 | Permanent Salaries-Miscellaneous | |
| 20 abolished | 0 0200 A | Judge, Municipal Court ..... | $7180 M 7180 |
| 20 added | 20 0200 A | Judge, Municipal Court ..... | 7557 M 7557 |
| 3 abolished | 0 0250 A | Traffic Referee..... | 3950 M 5744 |
| 3 added | 3 0250 A | Traffic Referee..... | 4157 M 6046 |

Classification 0250 has three salary steps, the minimum and maximum listed above; the intermediate step is $5290.

Section 2. This Ordinance shall be effective January 1, 1991.

APPROVED AS TO CLASSIFICATION
CIVIL SERVICE COMMISSION

GENERAL MANAGER, PERSONNEL

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

BY: DEPUTY CITY ATTORNEY

Board of Supervisors, San Francisco

Passed for Second Reading
February 19, 1991

Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley Ward

Finally Passed
February 25, 1991

Ayes: Supervisors Achtenberg Alioto
Britt Gonzalez Hallinan Hsieh
Kennedy Maher Migden Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
102-90-9

MAR 5 1991
Date Approved

Mayor

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MAR 1 8 1991
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FILE NO. 101-90-56

ORDINANCE NO. 81-91

RO #90175 SA #105

(GOVERNMENT FUNDING)

APPROPRIATING $31,500 FOR OTHER CONTRACTUAL SERVICES, HEALTH SERVICE SYSTEM FOR FISCAL YEAR 1990-91; PROVIDING FOR RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 01-001 | General Fund | | |
| G.L. 496 (000026) | Unappropriated Revenue Reserved | | |
| Subsidiary 000006 | General Reserve | $31,500 | |
| 33-00-00 | Health Service - Administration | | |
| 10-1269 | Other Contractual Services | | $31,500 |

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Theodore R. Lakey
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel O. Gockey
CONTROLLER

ac(1035ADM76)

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 19, 1991 | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No. 101-90-56

MAR 5 1991
Date Approved

Mayor

ORDINANCES DEPT.
MAR 1 8 1991
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Amendment of the Whole
2/12/91

FILE NO. 124-91-1 ORDINANCE NO. 82-91

(PARKING OF CONTRACTOR'S VEHICLES)

Amending Article 12, Chapter XI of the San Francisco Municipal Code (Traffic Code) by amending Section 202.C thereof, to authorize issuance of additional contractors permits to licensed contractors ineligible for exclusive temporary use of parking meter zones under Sec. 202.E and to transfer from the Tax Collector to the Director of Parking and Traffic the authority to issue permits to use parking meters zones for construction vehicles.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. Section 202.C of Article 12, Part II, Chapter XI of the San Francisco Municipal Code (Traffic Code) is hereby amended to read as follows:

Sec. 202.C Use of Parking Meter Zones by Construction Vehicles.

(i) Upon written application, the ((Tax Collector)) Director of Parking and Traffic shall issue to a contractor annual nontransferrable parking permits for display upon ((a)) motor vehicles used in the course of construction service and construction jobbing work within a parking meter zone. ((Said)) Such parking permits shall be in a form and have an appearance distinct from those parking permits issued for residential permit parking areas.

No permit ((as)) provided for herein shall be issued unless the written application includes the number and type of the applicant's State contractor's license, the year, make and license number of each motor vehicle for which a permit is ((applied)) requested and such other information as the ((Tax Collector)) Director of Parking and Traffic deems appropriate to carry out the duties imposed by this section.

(ii) The term "motor vehicle" as used in this Section means a truck or van used primarily to transport equipment, personnel or materials necessary to the construction project, bearing a commercial license plate registered to the licensed contractor and upon which is displayed in a permanent fashion the name of the licensed contractor as set forth in the Fictitious Business Name Statement on file in the Office of the County Clerk.

(iii) The ((Tax Collector)) Director of Parking and Traffic is authorized to issue no more than eight such parking permits per licensed contractor, except that a) up to five additional permits may be issued, at the sole discretion of the Director of Parking and Traffic to any contractor who is not eligible to apply for exclusive temporary use of parking meter zones under Section 202.E of this code; and b) one parking permit ((is authorized to)) may be issued to a licensed contractor who has only one vehicle which is a station wagon and which meets all other criteria of this Section. A station wagon qualifies as a motor vehicle, as defined herein, for this one permit only.

(iv) A motor vehicle displaying a parking permit issued as provided herein may be parked in a parking meter zone without the deposit of any coins in the applicable meter. Such a motor vehicle is not exempt from parking restrictions of prohibitions established pursuant to authority other than this Article.

(v) The fee for the issuance of each parking permit provided for in this Section shall be $100 if purchased in the first six months of the permit year and $75.00 if purchased in the last six months of the permit year.

(vi) Consistent herewith, the ((Office of the Tax Collector)) Department of Parking and Traffic is authorized to adopt procedures to prevent abuse of the parking permits issued under this Subsection.

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Such procedures shall include, but not be limited to providing for verification of an applicant's qualifications for a parking permit under this Subsection. ((The effictive date of this Section shall be the first day of the sixth month following its final approval.))

APPROVED AS TO FORM:

LOUISE H. RENNE

City Attorney

By: Julian F. Hattaway
Deputy City Attorney

Department of Parking and Traffic

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 19, 1991 | February 25, 1991 |
| Ayes: Supervisors Achtenberg Alioto Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| Absent: Supervisors Britt | |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
124-91-1

MAR 5 1991
Date Approved

Mayor

FILE NO. 101-90-63

ORDINANCE NO. 83-91

RO #90197 SA #129

(Government Funding)

APPROPRIATING $3,000,000 FOR JUDGMENT AND CLAIMS, PORT COMMISSION FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 34-001 | San Francisco Harbor Operating Fund | | |
| G.L. 301 (026013) | Use of Surplus | $ 3,000,000 | |
| 39-90-01 | Port - Finance and Administration | | |
| 14-1450 (596007) | Judgment and Claims | | $ 3,000,000 |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading

February 25, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

March 4, 1991

Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Alioto Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
101-90-63

MAR 6 1991
Date Approved

_____
Mayor

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MAR 1 8 1991
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Finance

2/20/91 - As amended in Committee

FILE NO. 101-90-59 ORDINANCE NO. 84-91

RO #90185 SA #108

(Government Funding)
$687,500
2/20/91 jll APPROPRIATING ~~$700,000~~ FOR CAPITAL IMPROVEMENT PROJECT (POLK-BUSH GARAGE), PARKING AND TRAFFFIC, FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 02-071 | Off-Street Parking Fund | | |
| 36-00-00 | Parking Authority | | |
| 2/20/91 jll G.L. 490 (003327) | Unappropriated Revenue | $ 687,500 ~~$ 700,000~~ | |
| Project 620-01 | Polk-Bush Garage | | |
| 2/20/91 jll 20-2030 (353144) | Capital Improvement Project | | $ 687,500 ~~$ 700,000~~ |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Ufara E. Loveles
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D Yockey
CONTROLLER

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| February 25, 1991 | March 4, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward<br>Absent: Supervisors Alioto Gonzalez |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-59

MAR 7 1991
Date Approved

Mayor

DOCUMENTS DEPT.
MAR 9 1991
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PUBLIC LIBRARY

FILE NO. 52-91-1 ORDINANCE NO. 85-91

(Underground Utility Districts 309)

AMENDING ORDINANCE NO. 96-89 MODIFYING SECTIONS 4, 5 and 6 TO FIX DATES FOR CONVERSION BY PROPERTY OWNERS AND REMOVAL OF OVERHEAD FACILITIES IN UPPER ASHBURY PHASE IIB AREA AND PHASE IIC AREA.

Note: Additions or substitutions are underlined; deletions are in ((double parentheses)).

Be it ordained by the People of the City and County of San Francisco:

Section 1. In accordance with the provisions of Section 900 et seq., of Part II, Chapter X, Article 18 of the San Francisco Municipal Code (Public Works Code), the Board of Supervisors does hereby amend ((Ordinance No. 305-88, amending Ordinances No. 51-79 and 298-86 to expand Underground District No. 309, Buena Vista District, etc.,)) Ordinance No. 96-89 to read as follows:

UNDERGROUND DISTRICT NO. 309

(BUENA VISTA DISTRICT)

Stage One Masonic Avenue from the southerly line of Haight Street to Roosevelt Way. Java Street, all, Piedmont Street, all.

Stage Two Ashbury Street from the southerly line of Waller Street to Clayton Street. Frederick Street from the easterly line of Clayton Street to Buena Vista Terrace.

Stage Three Waller Street from the easterly line of Stanyan Street to Buena Vista Avenue, Delmar Street, all. Downey Street and Clayton Street, both, from the southerly line of Waller Street to Ashbury Street. Belvedere Street from Parnassus Avenue to Seventeenth Street.

Stage Four Upper Ashbury Phase IIA: Stanyan Street from northerly line of Rivoli Street to northerly line of Belgrave Avenue; Woodland Avenue from southerly line of Parnassus Avenue to westerly line of Willard Street; Rivoli Street from westerly line of Stanyan Street to easterly line of Shrader Street; Shrader Street from northerly line of Rivoli Street to northerly line of Belgrave Avenue. Seventeenth Street from westerly line of Stanyan Street to easterly line of Shrader Street; Clarendon Avenue from Sutro Forest to Johnstone Drive.

Upper Ashbury Phase IIB: Cole Street from southerly line of Seventeenth Street to southerly terminus; Belvedere Street from southerly line of Seventeenth Street to northerly line of Carmel Street; Carmel Street from easterly line of Shrader Street to westerly line of Twin Peaks Boulevard.

Upper Ashbury Phase IIC: Ashbury Terrace from Piedmont Street to Upper Terrace; Upper Terrace from southerly line of Buena Vista Avenue East to Clifford Terrace; Clifford Terrace from Upper Terrace to Roosevelt Way; Roosevelt Way from southerly terminus of easterly line of Loma Vista Terrace to northerly line of Seventeenth Street; Loma Vista Terrace, all; Masonic Avenue from southeasterly line of Upper Terrace to northwesterly line of Roosevelt Way.

Upper Ashbury Phase IID: Belvedere Street from southerly line of Haight Street to northerly line of Frederick Street; Masonic Avenue from southerly line of Oak Street to southerly line of Haight Street; Carmelita Street, all.

Section 2. The undergrounding of facilities within this underground district is in the general public interest because it will eliminate a heavy concentration of overhead wires in a scenic area and was requested by public petition and vote. Stage Four, as redefined, of Underground District No. 309 is subdivided into four phases as described and delineated above to facilitate construction sequence and expedite completion dates in joint effort and coordination with the private utility companies involved.

Section 3. All work in connection with the underground of facilities lying within this underground district and subject to the laws with reference to underground districts is to be completed in accordance with the Department

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of Public Works program and in adherence to established priorities.

Section 4. ((The Board of Supervisors fixes December 30, 1989 as the date of which affected property owners in Upper Ashbury Phase IIA of Underground District No. 309 must complete conversion and be ready to receive underground service. Said Board further fixed June 30, 1990 as the date on which affected property owners in Upper Ashbury Phase IID of Underground District No. 309 must complete conversion and be ready to receive underground service.)) The Board of Supervisors fix the following dates for the following areas on which affected property owners in Underground District No. 309 must complete conversion and be ready to receive underground service.

For Phase IIA area, December 30, 1989.

For Phase IID area, June 30, 1990.

For Phase IIB area, February 28, 1991.

For Phase IIC area, October 31, 1991.

Section 5. The Board of Supervisors hereby orders that all poles, overhead wires and associated overhead structures be removed and underground installations made in said Upper Ashbury Phases IIA, IID, IIB and IIC in Underground District No. 309 no later than the following dates ((June 30, 1991)), which time may be reasonably extended by the Director of Public Works.

For Phase IIA area, June 30, 1991.

For Phase IID area, June 30, 1991.

For Phase IIB area, December 31, 1992.

For Phase IIC area, June 30, 1993.



((Section 6. The Board of Supervisors hereby declares that it will fix the dates or conversion by affected property owners and removal of poles and overhead wires and facilities in Upper Ashbury Phases IIB and IIC at an appropriate later date, so as not to project work schedules too far in advance of events not yet predictable, but which may impact such pre-set schedules and render them impracticable)).

APPROVED AS TO FORM:

Louise H. Renne, City Attorney

By: Paula Jeston
Deputy City Attorney

DESCRIPTION APPROVED:

Deputy Director for
Engineering and City Engineer

RECOMMENDED:

for Director of Public Works

APPROVED:

Chief Administrative Officer

Board of Supervisors, San Francisco

| | | |
|---|---|---|
| Passed for Second Reading | § | Finally Passed |
| | § | |
| February 25, 1991 | § | March 4, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| | § | |
| | § | Absent: Supervisors Alioto Gonzalez |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
52-91-1

MAR 11 1991
Date Approved

Mayor

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MAR 20 1991

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2/20/91 - As amended in Committee

FILE NO. 97-91-7 ORDINANCE NO. 86-91

(Public Health-Contracts)

AMENDING CHAPTER 19A, ARTICLE I OF THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING SECTION 19A.25 TO PERMIT THE DEPARTMENT OF PUBLIC HEALTH TO ENTER INTO AGREEMENTS, retroactive to January 1, 1990, WITH THE SAN FRANCISCO COMMUNITY CLINIC CONSORTIUM ENABLING THE DEPARTMENT OF PUBLIC HEALTH TO PARTICIPATE IN HEALTH CARE SERVICES.

2/20/91 jll

NOTE: ALL LANGUAGE IS NEW.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Chapter 19A, Article I of the San Francisco Administrative Code is hereby amended by adding Section 19A.25 thereof to read as follows:

Section 19A.25. AGREEMENTS WITH THE SAN FRANCISCO COMMUNITY CLINIC CONSORTIUM FOR HEALTH CARE SERVICES. (a) The Director of Public Health, with the approval of the Health Commission, is hereby authorized to enter into and execute written agreements, retroactive to January 1, 1990, on behalf of the City and County of San Francisco with the San Francisco Community Clinic Consortium to participate in projects related to health care services and health care provider services in order to benefit the programs provided the residents of San Francisco. Said agreements shall be substantially in conformance with the form of agreements on file with the Clerk of the Board of Supervisors in File No. 97-91-7.

2/20/91 jll

(b) If said agreements contain a provision in which the City and County of San Francisco defends, indemnifies or holds harmless the San Francisco Clinic Consortium, the provision shall be the following:

> Each party shall keep, defend, indemnify and hold harmless the other party and all of the officers, agents and employees of such other party from and against claims, damages, expenses or liabilities for loss or damage to property, or from death or injury to any person or persons in proportion to or to the extent such claims, damages, expenses or liabilities are caused by or result from the negligent or intentional acts or omissions of that party, its officers, agents or employees.

RECOMMENDED:

Raymond J. Baxter, Ph.D.
Director of Health

APPROVED:

Health Commission

Approved as to Form:

Louise H. Renne, City Attorney

By: Paula Jesson
Deputy City Attorney

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MAR 20 1991
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Board of Supervisors, San Francisco

| | |
|---|---|
| Passed for Second Reading | Finally Passed |
| February 25, 1991 | March 4, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward |
| | Absent: Supervisors Alioto Gonzalez |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
97-91-7

MAR 1 1 1991
Date Approved

Mayor

1/30/91 - As amended in Committee

FILE NO. 101-90-46

ORDINANCE NO. 87-91

RO #90156 SA #42

(GOVERNMENT FUNDING)

APPROPRIATING $6,374,971 FOR FACILITIES MAINTENANCE PROJECT (FEMA/OES MASTER PROJECT), PORT COMMISSION FOR FISCAL YEAR 1990-91, PLACING $6,261,404 ON RESERVE.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 34-001 | S.F. Harbor Operating Fund | | |
| G.L. 495 (026013) | Committment from Fund Balance | $6,374,971 | |
| 49-4900 (906750) | Revenue Transfer Out to #34-304, Port Earthquake Disaster Assistance Fund | | $6,374,971 |
| 34-304 | Port Earthquake Disaster Assistance Fund | | |
| 99-9900 (226332) | Revenue Transfer In from #34-001, S.F. Harbor Operating Fund | $6,374,971 | |
| Project 300-00 | FEMA/OES Master Project | | |
| 21-2020 (590091) | Facilities Maintenance Project | | $6,374,971 |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

_____
CONTROLLER

ac(1035ADM72)

Section 2. Funds in the amount of $6,261,404 for completion of various construction projects are placed on reserve pending selection of outside contractors and submission of MBE/WBE status, to be released by the Finance Committee.

Board of Supervisors, San Francisco

Passed for Second Reading

February 25, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

March 4, 1991

Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Alioto Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No. 101-90-46

MAR 11 1991
Date Approved

_____
Mayor

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Finance

2/20/91 - As amended in Committee

FILE NO. 101-90-60

ORDINANCE NO. 88-91

RO #90184 SA #88

(Government Funding)

2/20/91 $101,883

11 APPROPRIATING ~~$104,300~~ TO PURCHASE AUTOMOTIVE VEHICLES, SHERIFF DEPARTMENT FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 02-503 | State Authorized Special Revenue Fund | | |
| 06-00-00 | Sheriff | | |
| Project 011-00 | AB 1109 Vehicle Replacement | | |
| 70-7025 (050393) | Sheriff's Fees | $ 101,883 ~~$ 104,300~~ | |
| 22-2201 (305086) | Automotive Vehicles | | $ 101,883 ~~$ 104,300~~ |

2/20/91 11

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: Mara E. Rosales
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yochay
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading

February 25, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

March 4, 1991

Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Alioto Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No. 101-90-60

MAR 1 1 1991
Date Approved

Mayor

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MAR 2 0 1991

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FILE NO. 101-90-61 ORDINANCE NO. 89-91

RO #90187 SA #100

(Government Funding)

APPROPRIATING $200,000 FOR LEGAL SERVICES AND RESCINDING $200,000 FROM CAPITAL IMPROVEMENT PROJECT (REMOTE DATA ACQUISITION AND CONTROL), HETCH HETCHY FOR FISCAL YEAR 1990-91.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 33-001 | Hetchy Hetchy Operating Fund | | |
| Project 852-00 | Remote Data Acquisition and Control | | |
| 20-2030 (336248) | Capital Improvement Project | $ 200,000 | |
| 10-1002 (336016) | Legal Services | | $ 200,000 |

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: _____
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading

February 25, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

March 4, 1991

Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Alioto Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 101-90-61

MAR 11 1991
Date Approved

Mayor

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62 Finance

FILE NO. 101-90-62 ORDINANCE NO. 90-91

RO #90188 SA #120

(Government Funding)

APPROPRIATING $300,000 FOR LEGAL SERVICES AND RESCINDING $300,000 FROM CAPITAL IMPROVEMENT PROJECT (MOCCASIN SHOP BUILDINGS), HETCHY HETCHY FOR FISCAL YEAR 1990-91; PROVIDING RATIFICATION OF ACTION PREVIOUSLY TAKEN.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 33-001 | Hetchy Hetchy Operating Fund | | |
| Project 772-00 | Moccasin Shop Buildings | | |
| 20-2030 (336248) | Capital Improvement Project | $ 300,000 | |
| 10-1002 (336016) | Legal Services | | $ 300,000 |

Section 2. Although the City has incurred no legal obligation under the Charter, the Board of Supervisors does hereby appropriate the funds necessary for the obligation and does hereby ratify the action previously taken.

APPROVED AS TO FORM:
LOUISE H. RENNE, CITY ATTORNEY

BY: BHK
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D Yockey Jr
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading
February 25, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed
March 4, 1991

Ayes: Supervisors Achtenberg Alioto Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Absent: Supervisors Britt Gonzalez

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No. 101-90-62

MAR 11 1991
Date Approved

Mayor

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FILE NO. 45-91-8

ORDINANCE NO. 91-91

RO #90196

[SETTLEMENT OF LAWSUIT]

AUTHORIZATION SETTLEMENT OF LITIGATION OF LINDA HALLAJI AGAINST CITY AND COUNTY OF SAN FRANCISCO FOR FORTY THOUSAND DOLLARS.

Be it ordained by the People of the City and County of San Francisco:

Section I. The City Attorney is hereby authorized to settle the action entitled "LINDA HALLAJI v. CITY AND COUNTY OF SAN FRANCISCO, et al.," Superior Court No. 909-722, by the payment of $40,000 (Forty Thousand Dollars).

APPROVED AS TO FORM AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

SAN FRANCISCO POLICE DEPARTMENT

WILLIS CASEY
Department Head

FUNDS AVAILABLE:

CONTROLLER

01 001 97 09 30
309781 1450 $40,000.00

FEB 12 1991

APPROVED:

POLICE COMMISSION

SECRETARY

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| March 4, 1991 | March 11, 1991 |
| Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden |
| Absent: Supervisors Alioto Gonzalez | Absent: Supervisors Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 45-91-8

MAR 12 1991
Date Approved

Mayor

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As amended in committee
2/26/91

FILE NO. 97-91-3 ORDINANCE NO. 92-91

(Water Conservation Ordinance)

AMENDING THE SAN FRANCISCO ADMINISTRATIVE CODE BY ADDING CHAPTER 63 THERETO, ESTABLISHING LIMITATIONS ON WATER USE FOR LANDSCAPING NEW DEVELOPMENTS.

NOTE: This entire section is new.

Be it ordained by the People of the City and County of San Francisco that:

Section 1. The San Francisco Administrative Code is hereby amended by adding Chapter 63, thereto, to read as follows:

CHAPTER 63

LIMITATIONS ON WATER USE FOR LANDSCAPING IN NEW DEVELOPMENTS

Section 63.1. Purpose.

The purpose of this section is to promote efficient water use in new and renovated landscaping by utilizing proper landscape design and management, efficient irrigation equipment and techniques, low water use plant materials, limiting high water use areas and the use of mulches and soil improvement materials. This ordinance will also satisfy the requirements of AB325 which adds Article 10.8 (commencing with Section 65590) to Chapter 3 of Diviison 1 of Title 7 of the Governmental Code concerning Water Conservation. AB325 outlines Landscape Ordinance requirements which must be enacted by all water suppliers by 1993 or those suppliers must adopt a model ordinance to be prepared by a state-wide committee for the Legislature.

Section 63.2. Submission of Landscape Plan and Soil Analysis Report.

(a) Applicants for any building or site permit shall submit a landscape plan and soil analysis report to the San Francisco Water Department when:

(1) Construction ~~of~~ involving any commercial building or residential building with two or more units with landscaping of an area greater than 1,000 square feet on a lot exceeding 3,500 square feet or landscaping of an area greater than 1,000 square feet by a Department of the City and County of San Francisco.

(2) The landscaping plan shall be drawn to scale, shall be drawn on not less than ~~10~~ 11-inch by ~~14~~ 17-inch paper and reproduced on substantial paper, and shall be of sufficient clarity to indicate the location, nature and extent of the landscaping proposed and show in detail that it will conform to the provisions of this code and all relevant laws, ordinances, rules and regulations.

Section 63.3. Applicability and Definitions.

(a) The following provisions are mandatory restrictions on the use of landscaping in new development and renovated landscapes. Whenever referred to in this ordinance, the term "landscaping" will be defined as the planting area remaining after taking the total parcel less the square footage of building pad(s), driveway(s), and parking areas. Likewise, the term "new development" shall mean as applicable, (1) the construction of any new building or structure or the enlargement of an existing structure which involves the landscaping of an area greater than 1,000 square feet on a lot exceeding 3,500 square feet; (2) the creation by the City and County of San Francisco of landscaping of an area greater than 1,000 square feet. The term "renovated"

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shall apply to the same square footage requirements as "new development" and is limited to installation of new irrigation piping and does not include replacing plant material.

(b) Landscaping which is part of a registered historical site is exempt from the provisions of this ordinance.

Section 63.4. Planting Design.

(a) The total area devoted to turf grass, decorative water use and water-intensive plantings shall be limited to 15 percent of the total parcel area. The turf grass limitation excludes public or publicly accessible parklands or recreation areas, golf course, cemeteries, and children's play areas in private developments.

(b) Narrow strips of turf grass less than 8-feet wide are prohibited along traffic medians, between curbs and sidewalks, between living units, and similar installations.

(c) If the planted area is located on a slope exceeding 10%, and is also within five feet of a hardscape or paved surface, a groundcover other than turf grass shall be used.

(d) All water intensive plants shall be grouped together and irrigated on a separate cycle from low water use plants and turf grass.

(e) The above limitations shall not apply to commercial farms, community gardens on privately owned land and land used wholly or in large part for raising fruit crops, vegetables, herbs, or other edible plants for sale or personal consumption.

(f) Low water use plants, warm season or tall fescus turf grasses are encouraged under the conditions of this ordinance to reduce the water demand in the new landscaping.

(g) Information on low water use plants, irrigation techniques and educational materials on the efficient use of



water will be provided by the San Francisco Water Department.

Section 63.5. Irrigation.

(a) All irrigated park areas, median traffic strips, landscaped public areas, landscaped areas surrounding multi-residential and commercial developments, and industrial parks shall have separately metered automatic irrigation systems.

(b) Spray or sprinkler systems are prohibited for irrigating trees.

(c) Valves and circuits shall be separated based on water use requirements. Sprinkler heads shall have matched precipitation rates within each control valve circuit for uniform water application.

(d) All irrigation systems shall be equipped with a controller capable of dual or multiple programming. Controllers shall be set to water between 5:00 p.m. and 10:00 a.m.

(e) Irrigation plans shall include schedules reflecting the amount of water needed to maintain plant health and growth based on actual water needs of the plant, including climatic data for the area. Separate schedules should be made for (1) establishing new plant material with an estimate of length of establishment and (2) maintenance of plant material after established. Schedules are to be made for each month of the watering season and shall include length and frequency of run times. Schedules shall be prominently displayed in or adjacent to the irrigation controller box.

(f) All irrigation systems shall be designed and installed to prevent runoff and overspray onto hard non-irrigated areas. Installation of irrigation equipment must provide precipitation rates designed and recognized in the industry to deliver high efficiency in water application.

(g) In the event nonpotable water supplies through dual distribution systems becomes permitted by state law, said use shall be in accordance with all relevant laws, ordinances, rules and regulations.

Section 63.6. Soil Analysis and Conditioning.

Prior to the installation or planting of plants or turf grass in a new development, the developer shall:

(a) Prepare a soils test of the site to determine the existing characteristics and condition of the soil.

(b) Amend the soil according to the report recommendations to correct any soil deficiencies that might impede the growth of the new plantings.

(c) The applicant shall submit with the plans the results of the soil analysis report to the San Francisco Water Department. In the event, recommendations to correct any soil deficiencies were included in the report, the applicant must submit evidence of correction of the soil deficiencies to the satisfaction of San Francisco Water Department.

(d) Install a minimum of 2-inch of mulch in non-turf grass areas to the soil surface after planting.

Section 63.7. Maintenance Schedule.

At the time of initial sale or occupancy of each unit in the new development the developer shall provide to each owner or occupant of all units on each parcel written instructions consistent with the manufacturer's instructions for the proper operation and ongoing maintenance of the irrigation system and controls located on each individual unit. In the case of a multi-unit new development with a single owner or where common areas are maintained, written instruction shall be provided to the single owner or the owners of the common area.



Section 63.8. Inspection. The San Francisco Water Department shall inspect all landscape plans and may in its discretion inspect the site of the new development. The San Francisco Water Department shall be provided with reasonable access to the site to conduct such inspections.

Section 63.9. Permit Approval.

Prior to approval of an application for a building or site permit the applicant must comply with all provisions required by this chapter.

The applicant shall submit to the Bureau of Building Inspection written certification by the San Francisco Water Department approving the applicant's landscaping plan and soil analysis report.

Failure to obtain such approval from the San Francisco Water Department shall result in a denial of an application for a building or site permit by the Superintendent of the Bureau of Building Inspection.

Section 63.10. Severability. If any section, paragraph, sentence, clause or phrase of this chapter or any part thereof, is for any reason to be held unconstitutional or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this chapter, or any part thereof. The Board of Supervisors hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional or invalid or ineffective.

Section 63.11. San Francisco Water Department Fees. The

San Francisco Water Department acting through its Public Utilities Commission is authorized to impose and collect fees in its discretion to recover the costs of implementing this chapter, including costs of document processing and review, inspection, consultation with applicants and administration of this chapter.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By _____
JULIE VAN NOSTERN
Deputy City Attorney

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| March 4, 1991 | March 11, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden |
| | Absent: Supervisors Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
97-91-3

MAR 14 1991
Date Approved

_____
Mayor

FILE NO. 46-91-1 ORDINANCE NO. 93-91

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MAR 25 1991
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[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF KENNETH TOBIN AND JANE SMITH V. FEN FEN HUANG, ET AL., UPON RECEIPT OF THE SUM OF $7,500.00 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco,

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 872720 entitled "Kenneth Tobin and Jane Smith, Plaintiffs, v. Fen Fen Huang, et al., Defendants" by acceptance of the sum of $7,500.00 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $7,500.00 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| March 4, 1991 | March 11, 1991 |
| Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden |
| Absent: Supervisors Alioto Gonzalez | Absent: Supervisors Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
46-91-1

MAR 14 1991
Date Approved

Mayor

FILE NO. 46-91-2 ORDINANCE NO. 94-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF JOHN HATLEY V. GUO YI DENG, ET AL., UPON RECEIPT OF THE SUM OF $8,333.33 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 922366 entitled "John Hatley, Plaintiff, v. Guo Yi Deng, et al., Defendants" by acceptance of the sum of $8,333.33 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $8,333.33 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

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MAR 25 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| March 4, 1991 | March 11, 1991 |
| Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden |
| Absent: Supervisors Alioto Gonzalez | Absent: Supervisors Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No.
46-91-2

MAR 14 1991
Date Approved

Mayor

FILE NO. 46-91-3 ORDINANCE NO. 95-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF ROBERT SKIPTON BARRINGTON V. RON C. MEYER, ET AL., UPON RECEIPT OF THE SUM OF $13,333.33 LESS 1/3 COSTS AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 881753 entitled "Robert Skipton Barrington, Jr., Plaintiff, v. Ron C. Meyer, et al., Defendants" by acceptance of the sum of $13,333.33, less 1/3 costs from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $13,333.33 less 1/3 costs and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED
AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By Kimberly A. Reiley
KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By Pam Levesque
PAM LEVESQUE
Executive Assistant to
General Manager

DOCUMENTS DEPT.

MAR 25 1991

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PUBLIC LIBRARY

Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| March 4, 1991 | March 11, 1991 |
| Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden |
| Absent: Supervisors Alioto Gonzalez | Absent: Supervisors Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
46-91-3

MAR 14 1991
Date Approved

Mayor

FILE NO. 46-91-4

ORDINANCE NO. 96-91

[SETTLEMENT OF LAWSUIT]

AUTHORIZING SETTLEMENT OF CITY AND COUNTY OF SAN FRANCISCO V. GENERAL RENT-A-CAR, INC., PIOTR KOSTRZEWSKI, ET AL., UPON RECEIPT OF THE SUM OF $6,411.18 AND DISMISSAL OF COMPLAINT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. The City Attorney is hereby authorized and directed to settle San Francisco Superior Court No. 907179 entitled "City and County of San Francisco, Plaintiff, v. General Rent-A-Car, Piotr Kostrzewski, et al., Defendants" by acceptance of the sum of $6,411.18 from the defendants and dismissing complaint.

Section 2. Upon receipt of said sum of $6,411.18 and appropriate paperwork the City Attorney is authorized to dismiss said complaint.

APPROVED AND RECOMMENDED:

LOUISE H. RENNE
City Attorney

By KIMBERLY A. REILEY
Chief Trial Deputy

RECOMMENDED:

RETIREMENT BOARD
SAN FRANCISCO CITY AND COUNTY
EMPLOYEES' RETIREMENT SYSTEM

By PAM LEVESQUE
Executive Assistant to
General Manager

DOCUMENTS DEPT.

MAR 25 1991

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Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| March 4, 1991 | March 11, 1991 |
| Ayes: Supervisors Achtenberg Britt Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden |
| Absent: Supervisors Alioto Gonzalez | Absent: Supervisors Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

Clerk

File No. 46-91-4

MAR 14 1991
Date Approved

Mayor

Amendment of the Whole
2/12/91

FILE NO. 81-90-3 ORDINANCE NO. 97-91

AMENDING PART II, CHAPTER II OF THE SAN FRANCISCO MUNICIPAL CODE (CITY PLANNING CODE) BY ADDING SECTION 249.9 TO CREATE AN AFFORDABLE HOUSING SPECIAL USE DISTRICT AT SIXTEENTH AND CHURCH STREETS, AND FINDING CONSISTENCY WITH PLANNING CODE §101.1.

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Note: The entire section is new.

Be it ordained by the people of the City and County of San Francisco:

Section 1. Article 2, Part II, Chapter II of the San Francisco Municipal Code (City Planning Code) is hereby amended by adding Section 249.9, to read as follows:

SEC. 249.9. SIXTEENTH AND CHURCH STREETS AFFORDABLE HOUSING SPECIAL USE DISTRICT. In order to provide for affordable rental housing opportunities for low-income households there shall be a Sixteenth and Church Streets Affordable Housing Special Use District, consisting of Lots 8 and 9 of Assessor's Block 3558, in a rectangular parcel beginning at a point on the north side of 16th Street 100 feet from the northwest intersection of 16th and Church Streets, thence at a right angle northerly 95 feet, thence at a right angle easterly 100 feet, thence at a right angle southerly 95 feet, thence at a right angle westerly 100 feet to the point of the beginning; being all of Lots 8 and 9 in Assessor's Block 3558 and adjacent street areas to their center lines, as designated on Sectional Map No. 7 of the Zoning Map. The following provisions shall apply within such special use district.

(a) Any developer of housing who agrees to construct at least (1) 20 percent of the total units of a housing development for low income households or (2) 10 percent of the total units of a housing development for very low income households, shall be entitled to a density bonus upon approval by the City Planning Commission as a conditional use under Section 303 of this code.

(b) For the purposes of this Section, the following definitions shall apply:

(1) "Density bonus" shall mean a density increase of at least but not more than 25 percent over the number of dwelling units otherwise permitted as a principal use in the district. The density bonus shall not be calculated as part of the total units for purposes of determining the percentage of designated units.

(2) "Designated unit" shall mean a housing unit identified and reported by the developer of a housing development as a unit that is affordable to households of low-or very low-income.

(3) "Housing development" shall mean five or more dwelling units.

(4) "Lower-income household" is defined in Section 50079.5 of the Health and Safety Code.

(5) "Very low-income household" is defined in Section 50105 of the Health and Safety Code.

(c) In this district all of the provisions of the Planning Code for residential development shall continue to apply, including parking, setback, rear yard, open space, and height and bulk standards, except as provided in subsection (d).

(d) In this special use district a modification to or exception from otherwise applicable rear yard requirements may be appropriate in order to further the critical goal of creating affordable housing. A conditional use approval for a housing

development subject to this section may modify or grant an exception from the rear yard requirements of this code, if the facts presented are such as to establish that the modification or exception satisfies the criteria of subsections 303(c)(1) through 303(c)(3) of this code.

(d) The controls of this Section shall remain in effect until December 31, 1995.

Section 2. The Board of Supervisors finds that this amendment is consistent with the priority policies set forth in Section 101.1 of the San Francisco Planning Code, and adopts as its own the findings made by the City Planning Commission in Resolution No. 12096.

APPROVED AS TO FORM:

LOUISE H. RENNE
City Attorney

By: _____
Deputy City Attorney



Board of Supervisors, San Francisco

| Passed for Second Reading | Finally Passed |
|---|---|
| March 4, 1991 | March 11, 1991 |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | Ayes: Supervisors Achtenberg Alioto Hallinan Kennedy Maher Migden |
| | Absent: Supervisors Britt Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

_____
Clerk

File No.
81-90-3

MAR 14 1991
Date Approved

_____
Mayor

2/20/91 - As amended in Committee

FILE NO. 101-90-57

ORDINANCE NO. 98-91

RO #90167 SA #94

(GOVERNMENT FUNDING)

APPROPRIATING $17,903,602 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS, AIRPORT COMMISSION FOR FISCAL YEAR 1990-91; PLACING $15,218,062 ON RESERVE.

2/20/91 jll

Be it ordained by the People of the City and County of San Francisco:

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Section 1. Funds are hereby appropriated for Fiscal Year 1990-91 as follows:

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 30-700 | Approved Capital Projects Fund | | |
| G.L. 495 (000786) | Use of Surplus | $7,466,608 | |
| 27-05-51 | Airport - Technical Services | | |
| Project 750-01 | Groundside Improvements | | |
| 20-2030 (570614) | Capital Improvemment Project | | *$7,466,608 |
| | Total | $7,466,608 | $7,466,608 |
| 30-863 | 1967 Airport Bonds | | |
| G.L. 495 (022061) | Use of Surplus | $56,756 | |
| 27-04-00 | 1967 Airport Bonds | | |
| Project 200-01 | Airfield Improvements | | |
| 20-2030 (327510) | Capital Improvement Project | | *$56,756 |
| | Total | $56,756 | $56,756 |
| 30-869 | 1975 Airport Revenue Bonds | | |
| G.L. 495 (022079) | Use of Surplus | $382,135 | |
| 27-04-00 | 1975 Airport Bond Project | | |
| Project 300-01 | Terminal Improvements | | |
| 20-2030 (327619) | Capital Improvement Project | | * $382,135 |
| | Total | $382,135 | $382,135 |
| 30-871 | 1977 Airport Revenue Bonds | | |
| G.L. 495 (007229) | Use of Surplus | $483,130 | |
| 27-04-00 | 1977 Airport Bond Project | | |
| Project 100-01 | Utilities Improvement | | |
| 20-2030 (327833) | Capital Improvement Project | | *$483,130 |
| | Total | $483,130 | $483,130 |
| 30-872 | 1981 Airport Revenue Bonds | | |
| G.L. 495 (007237) | Use of Surplus | $4,475,268 | |
| 27-04-00 | 1981 Airport Bond Project | | |
| Project 300-01 | Terminal Improvements | | |
| 20-2030 (573964) | Capital Improvement Project | | *$2,000,000 |
| Project 400-01 | Groundside Improvements | | |
| 20-2030 (573964) | Capital Improvement Project | | *$2,000,000 |
| Project 500-01 | Airport Surplus Area | | |
| 20-2030 (573964) | Capital Improvement Project | | *$ 475,268 |
| | Total | $4,475,268 | $4,475,268 |
| 30-873 | 1983 Airport Revenue Bonds | | |
| G.L. 495 (007245) | Use of Surplus | $3,018,705 | |
| 27-04-00 | 1983 Airport Bond Project | | |
| Project 300-01 | Terminal Improvements | | |
| 20-2030 (574202) | Capital Improvement Project | | * $2,000,000 |
| Project 500-01 | Airport Support Area | | |
| 20-2030 (574202) | Capital Improvement Project | | * $1,018,705 |
| | Total | $3,018,705 | $3,018,705 |

| DEPARTMENT AND NUMBER | SOURCE OF FUNDS AND PURPOSE OF APPROPRIATION | AMOUNT DEBIT | AMOUNT CREDIT |
|---|---|---|---|
| 30-875 | 1990 Airport Revenue Bonds | | |
| G.L. 495 (013128) | Use of Surplus | $2,021,000 | |
| 27-04-00 | 1990 Airport Bond Projects | | |
| Project 300-01 | Terminal Improvements | | |
| 20-2030 (572115) | Capital Improvement Project | _____ | *$2,021,000 |
| | Total | $2,021,000 | $2,021,000 |
| | Grand Total | $17,903,602 | $17,903,602 |

2/20/91
jll

*Section 2. Eighty-five percent (85%) of funds, totalling $15,218,062, for each Capital Improvement Project are placed on reserve, pending selection of the outside contractors and determination of MBE/WBE status, and pending release by the Finance Committee.

371-WPPSPGEN (1&2&3)

APPROVED AS TO FORM:
LOUIS H. RENNE, CITY ATTORNEY

BY: BEW
DEPUTY CITY ATTORNEY

FUNDS AVAILABLE:

Samuel D. Yockey
CONTROLLER

Board of Supervisors, San Francisco

Passed for Second Reading

March 4, 1991

Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward

Finally Passed

March 11, 1991

Ayes: Supervisors Achtenberg Alioto Britt Hallinan Kennedy Maher Migden

Absent: Supervisors Gonzalez Hsieh Shelley Ward

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John L. Taylor
Clerk

File No.
101-90-57

MAR 14 1991
Date Approved

Mayor

File No. 115-91-2 Ordinance No. 99-91

(Zoning Change, 90.598EZ
(DCP File No.)

ADOPTING CHANGES IN PROPERTY USE CLASSIFICATION AS AN AMENDMENT TO THE ZONING MAP OF THE CITY AND COUNTY OF SAN FRANCISCO OF PROPERTY LOCATED AT 3400 16TH STREET, NORTHWEST CORNER AT CHURCH STREET, LOTS 8 and 9 IN ASSESSOR'S BLOCK 3558 FROM AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT TO AN RM-2 (MIXED RESIDENTIAL, MODERATE DENSITY) DISTRICT AND THE SIXTEENTH AND CHURCH STREETS AFFORDABLE HOUSING SPECIAL USE DISTRICT.

Be it ordained by the People of the City and County of San Francisco:

Section 1. Pursuant to resolution of the Board of Supervisors, adopting the Final Negative Declaration as its own, and pursuant to Section 302(c) of the City Planning Code, Part II, Chapter II of the San Francisco Municipal Code, the following change in property use classification, duly approved by resolution of the City Planning Commission, is hereby adopted as an amendment to the Zoning Map of the City and County of San Francisco.

| Description of Property | Use District to be Superseded | Use District Hereby Approved |
|---|---|---|
| Beginning at a point on the north side of 16th Street 100 feet from the northwest intersection of 16th and Church Streets, thence at a right angle northerly 95 feet, thence at a right angle easterly 100 feet, thence at a right angle southerly 95 feet, thence at a right angle westerly 100 feet. to the point of beginning; being all of Lots 8 and 9 in Assessor's Block 3558 and adjacent street areas to their centerline as designated on Sectional Map No. 7 of the Zoning Map. | RM-2 | RM-2 and Sixteenth and Church Streets Affordable Housing Special Use District |

Section 2. Pursuant to Section 101.1 of the Code, this Board of Supervisors adopts City Planning Commission Resolution No. 12097 approving findings related to the Eight Priority Policies of Section 101.1 of the Planning Code.

APPROVED AS TO FORM:
LOUISE RENNE, CITY ATTORNEY

By [signature]
Deputy City Attorney

RECOMMENDED:
CITY PLANNING COMMISSION

By Dean L. Macris
Dean L. Macris
Director of Planning

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Board of Supervisors, San Francisco

| Passed for Second Reading | § | Finally Passed |
|---|---|---|
| | § | |
| March 4, 1991 | § | March 11, 1991 |
| | § | |
| | § | |
| Ayes: Supervisors Achtenberg Alioto Britt Gonzalez Hallinan Hsieh Kennedy Maher Migden Shelley Ward | § | Ayes: Supervisors Achtenberg Alioto Hallinan Kennedy Maher Migden |
| | § | |
| | § | |
| | § | Absent: Supervisors Britt Gonzalez Hsieh Shelley Ward |

I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco.

John L. Taylor
Clerk

File No.
115-91-2

MAR 14 1991
Date Approved

Mayor

AMENDMENT OF THE WHOLE

2/26/91

FILE NO. 124-90-5

ORDINANCE NO. 100-91

(Engine Idling of Privately-Owned Motor Coaches)

AMENDING ARTICLE 3 OF PART II, CHAPTER XI, SAN FRANCISCO MUNICIPAL CODE (TRAFFIC CODE) BY ADDING THERETO SECTION 60.5, PROHIBITING THE IDLING OF ENGINES OF PRIVATELY-OWNED MOTOR COACHES WHILE PARKED OR STANDING.

Note: This entire section is new.

Be it ordained by the People of the City and County of San Francisco:

Sec. 60.5 UNLAWFUL TO ALLOW PRIVATELY-OWNED MOTOR COACH ENGINE TO RUN WHILE PARKED. (a) No person, firm or corporation shall cause or permit the engine of any privately-owned motor coach to idle while parked, standing or stopped, upon any public way within the City and County of San Francisco, for more than five (5) minutes, provided, however, if a privately-owned motor coach is making a temporary stop for the sole purpose of loading or unloading passengers, such motor coach shall not be permitted to idle for longer than is reasonably necessary to effect the loading or unloading of passengers.

(b) Any person, firm or corporation violating this section 60.5 shall be guilty of an infraction punishable by a fine of $100 for each infraction.

APPROVED AS TO FORM:
LOUISE H. RENNE, City Attorney

By: _____
Deputy City Attorney

SUPERVISORS HSIEH, GONZALEZ, ALIOTO AND KENNEDY

7760P

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Board of Supervisors, San Francisco

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|---|---|
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I hereby certify that the foregoing ordinance was finally passed by the Board of Supervisors of the City and County of San Francisco

John Taylor
Clerk

File No.
124-90-5

MAR 14 1991
Date Approved

Mayor

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